DOCUMENT RESUME

ED 255 287	PS 014 757
TITLE	Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984. Hearing before the Subcommittee on Human Resources of the Committee on Education and Labor. House of Representatives, Ninety-Eighth Congress, Second Session on H.R. 4971 to Amend the Juvenile Justice and Delinquency Prevention Act of 1974 to Authorize Appropriations for Fiscal Years 1985 through 1989, and for Other Purposes.
INSTITUTION	Congress of the U.S., Washington, D.C. House Committee on Education and Labor.
PUB DATE	Mar 84
NOTE	722p.; Contains many pages of small, broken type which are marginally legible.
PUB TYPE	Legal/Legislative/Regulatory Materials (090) -- Reports - Descriptive (141)
EDRS PRICE	MF04 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	Adolescents; Advisory Committees; Advocacy; Children; Corporal Punishment; Correctional Institutions; Crime; Crowding; *Delinquency; *Delinquency Prevention; Experimental Groups; Facilities; *Federal Legislation; Financial Support; Hearings; *Justice; Learning Disabilities; Program Descriptions; Program Implementation; Public Policy; Reliability; Runaways; Suicide; Validity
IDENTIFIERS	*Amendments; Congress 98th; Deinstitutionalization (Of Delinquents); Firearms; Florida; Illinois; *Juvenile Justice; Juvenile Justice Delinquency Prevention Act 1974; Juvenile Justice Delinquency Prevention Office; Missing Persons; New York (New York); Profit Making Programs; Program Monitoring; Runaway and Homeless Youth Act 1974; Status Offenders

ABSTRACT

Provided in this document are the text of H.R. 4971, a record of testimony offered in a congressional hearing, and a wide variety of supplemental materials. H.R. 4971 is a bill to amend the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 to authorize appropriations for fiscal years 1985 through 1989 and for other purposes. Numerous issues relating to the bill are discussed, including (1) juvenile crime; (2) allocation of funds; (3) missing children; (4) runaways; (5) deinstitutionalization of status offenders; (6) reliability and validity of program monitoring reports; (7) prohibition of experimentation on juveniles; (8) activities of the JJDP office; (9) use of for-profit organizations to provide services; and (10) delinquency prevention. Numerous appended materials include descriptions of state juvenile justice programs; a policy statement of an advocacy organization; and brief discussions of legal issues, related statistics, youth advocacy grant audits, and the establishment of the National Advisory Committee for JJDP. Also provided in the appended materials are the Department of Health and Human Service's annual report to the Congress for fiscal year 1982 on the status and accomplishments of centers funded under the Runaway and Homeless Youth (RHY) Act; the General Accounting Office's review of the RHY program; the seventh annual report of the National Advisory Committee for JJDP; advance reports on the 1979 censuses of private and public juvenile facilities; a study investigating the link between learning disabilities and juvenile delinquency; a paper on the removal of juveniles from adult jails in Illinois; an issue brief on federal efforts concerning runaway youth; a paper on runaway and homeless youth in New York City, an article about the effects of crowding on program implementation in juvenile services in Florida; a research note on physical punishment and delinquency; an article focusing on trends in serious juvenile crime; and articles on rethinking juvenile justice policy. private prisons, and firearms and suicide in the United States. (RH)

ED255287

JUVENILE JUSTICE, RUNAWAY YOUTH, AND MISSING CHILDREN'S ACT AMENDMENTS OF 1984

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☐ This document has been reproduced as received from the person or organization originating it.

☒ Minor changes have been made to improve reproduction quality.

- Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

HEARING

BEFORE THE

SUBCOMMITTEE ON HUMAN RESOURCES

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

H.R. 4971

TO AMEND THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974 TO AUTHORIZE APPROPRIATIONS FOR FISCAL YEARS 1985 THROUGH 1989, AND FOR OTHER PURPOSES

HEARING HELD IN WASHINGTON, DC, MARCH 7, 1984

Printed for the use of the Committee on Education and Labor

PS 014757

U.S. GOVERNMENT PRINTING OFFICE
37-681 O WASHINGTON : 1984

COMMITTEE ON EDUCATION AND LABOR

CARL D. PERKINS, Kentucky, *Chairman*

AUGUSTUS F. HAWKINS, California
WILLIAM D. FORD, Michigan
JOSEPH M. GAYDOS, Pennsylvania
WILLIAM (BILL) CLAY, Missouri
MARIO BIAGGI, New York
IKE ANDREWS, North Carolina
PAUL SIMON, Illinois
GEORGE MILLER, California
AUSTIN J. MURPHY, Pennsylvania
BALTASAR CORRADA, Puerto Rico
DALE E. KILDEE, Michigan
PAT WILLIAMS, Montana
RAY KOGOVSEK, Colorado
MATTHEW G. MARTINEZ, California
MAJOR R. OWENS, New York
FRANK HARRISON, Pennsylvania
FREDERICK C. BOUCHER, Virginia
GARY L. ACKERMAN, New York
SALA BURTON, California
CHARLES A. HAYES, Illinois
DENNIS E. ECKART, Ohio
TIMOTHY J. PENNY, Minnesota

JOHN N. ERLENBORN, Illinois
JAMES M. JEFFORDS, Vermont
WILLIAM F. GOODLING, Pennsylvania
E. THOMAS COLEMAN, Missouri
THOMAS E. PETRI, Wisconsin
MARGE ROUKEMA, New Jersey
STEVE GUNDERSON, Wisconsin
STEVE BARTLETT, Texas
RON PACKARD, California
HOWARD C. NIELSON, Utah
ROD CHANDLER, Washington
THOMAS J. TAUKE, Iowa
JOHN McCAIN, Arizona

SUBCOMMITTEE ON HUMAN RESOURCES

IKE ANDREWS, North Carolina, *Chairman*

BALTASAR CORRADA, Puerto Rico
PAT WILLIAMS, Montana
MAJOR R. OWENS, New York
GEORGE MILLER, California
DENNIS E. ECKART, Ohio
CARL D. PERKINS, Kentucky
(Ex Officio)

THOMAS E. PETRI, Wisconsin
E. THOMAS COLEMAN, Missouri
MARGE ROUKEMA, New Jersey
ROD CHANDLER, Washington,
(Ex Officio)

CONTENTS

Page
Hearing held in Washington, DC, March 7, 1984 1
Text of H.R. 4971 2

Statement of:

Anderegg, Hon. M. Anita, county executive, Fond du Lac County, Fond du Lac, WI 113
Biggs, Lucy C., Acting Commissioner, Administrator for Children, Youth and Families; accompanied by David A. Rust, Director, Office of Policy and Legislation, Office of Human Development Services, Department of Health and Human Services 86
Bucy, June, chief executive officer, National Network of Runaway and Youth Services, Inc., Washington, DC 163
Carlisle, Ann Linden, chairman, National Steering Committee of State Juvenile Justice Groups, Cape Elizabeth, ME 134
Cupery, Shirley, national PTA vice president for leadership services, Wilmington, DE; and Marilyn Beggs, national PTA vice president for region 5, Lincoln, NE 143
Jones, Arnold P., Senior Associate Director, General Government Division, General Accounting Office; accompanied by Larry Harrell, Supervisory Evaluator, General Government Division, General Accounting Office; and Ralph E. Reardon, General Accounting Office, Norfolk Region, Raleigh, NC 95
Olszewski, Alan M., assistant director, national legislative commission, American Legion, Washington, DC 150
Preska, Margaret, member, board of directors, Camp Fire, Inc., Mankato, MN; accompanied by Arnold Sherman, national executive director, Camp Fire, Inc 155
Quinn, Hon. Luke, probate judge, Genesee County, MI, representing the National Association of Counties; accompanied by Donald Murray, legislative representative, National Association of Counties 103
Regnery, Alfred S., Administrator; accompanied by James M. Wootton, Deputy Administrator, and Terrence Donahue, Assistant Deputy Administrator, Office of Juvenile Justice and Delinquency Prevention 62
Robb, Hon. Charles S., Governor of the State of Virginia, and chairman of the Committee on Criminal Justice and Public Protection, accompanied Nolan E. Jones, staff director, Committee on Criminal Justice and Public Protection, National Governors' Association, Washington, DC 44
Treanor, William W., executive director, National Youth Work Alliance, Washington, DC 171
Weisberg, Roger E., producer of the documentary "Old Enough To Do Time," WNET/13, New York, NY 123

Prepared statements, letters, supplemental material, et cetera:

Anderegg, M. Anita, county executive, office of the county executive, Fond du Lac, WI, prepared statement of, with attachment 109
Biggs, Lucy C., Acting Commissioner, Administration for Children, Youth, and Families, prepared statement of 83
Bucy, June, chief executive officer, the National Network of Runaway and Youth Services, Inc., Washington, DC, prepared statement of 161
Carlisle, A.L., chairman of the National Steering Committee of State Junvenile Justice Advisory Groups, chairman of the Northeast Coalition of State Juvenile Justice Advisory Groups and chairman of the Maine Juvenile Justice Advisory Group, Cape Elizabeth, ME, prepared statement of 128

Page

Prepared statements, letters, supplemental material, et cetera—Continued
  - Cupery, Shirley, national PTA vice president for Leadership Services and Marilyn Beggs, national PTA vice president for region 5, prepared statement of 140
  - Jones, Arnold P., Senior Associate Director, General Government Division, U.S. General Accounting Office, Washington, DC, prepared statement of 89
  - Olszewski, Alan M., assistant director, national legislative commission, the American Legion, prepared statement of behalf of the American Legion, Washington, DC 148
  - Petri, Hon. Thomas E., a Representative in Congress from the State of Wisconsin:
    - Letter from Linda Reivitz, secretary, office of the Secretary, Department of Health and Social Services, State of Wisconsin, Madison, WI, dated March 1, 1984 117
    - Letter from Mark M. Rogacki, executive secretary, Wisconsin Counties Association, Madison, WI, dated February 28, 1984 119
    - Letter from Michael J. Anderegg, probate judge, probate and juvenile court, Marquette County, MI, to Ed Larson, staff counsel, Education and Labor Committee, dated March 5, 1984 107
  - Preska, Margaret, member, board of directors, Camp Fire, Inc., Mankato, MN:
    - Newspaper articles:
      - "Camp Fire Art Exhibition," from Kansas City Star, Kansas City, MO, July 13, 1983 155
      - "Juveniles Have Rights," from Kansas City Star, Kansas City, MO, July 31, 1984 154
      - "Youngsters Who Do Not Belong in Prison," from the New York Times, New York, NY, August 3, 1983 154
    - "Position on States Offenders," article entitled 154
    - Prepared statement on behalf of Camp Fire, Inc., Washington, DC 152
  - Quinn, Luke, probate judge, Genesee County, MI, and chair, National Association of Counties Juvenile Justice Subcommittee, prepared statement on behalf of the National Association of Counties, Washington, DC 99
  - Regnery, Alfred S., Administrator, Office of Juvenile and Delinquency Prevention:
    - Graphs 1-7 (charts) 72
    - Prepared statement of, enclosing appendices and attachments 48
  - Robb, Charles, S., Governor, Commonwealth of Virginia, on behalf of the National Governors' Association, Washington, DC, prepared statement of 42
  - Treanor, William W., executive director, National Youth Work Alliance, prepared statement of 169
  - Weisberg, Roger E., prepared statement of 120

APPENDIX

Agopian, Dr. Michael W., chairman, State Advisory Group on Juvenile Justice and Delinquency Prevention, Office of Criminal Justice Planning, Sacramento, CA:
  - Letter to Chairman Andrews, dated April 4, 1984 206
  - "Reauthorization of the Juvenile Justice and Delinquency Prevention Act," article entitled 207

Anderson, William J., Director, U.S. General Accounting Office, Washington, DC:
  - "Better Monitoring and Recordkeeping Systems Needed To Accurately Account for Juvenile Justice Practices, report to the chairman, Subcommittee on Human Resources 320
  - "Federally Supported Centers Provide Needed Services for Runaways and Homeless Youths," report to the chairman, Subcommittee on Human Resources 370
  - Letter to Chairman Andrews, dated November 16, 1983 343
  - Letter to Chairman Andrews, dated November 30, 1983, with enclosure 364
  - Letter to Chairman Andrews, dated December 9, 1983, with enclosures 353
  - Letter to Chairman Andrews, dated April 12, 1984, with enclosure 347

Page

Bertroche, Joseph G., Sr., attorney at law, Bertroche Law Offices, Des Moines, IA, letter to all members of the NAC, Al Regnery, WCG, re: Beverly Hills agenda, dated February 20, 1984 ... 408
Bird, Tom, Center for Action Research, Inc., Boulder, CO, letter to Gordon A. Raley, staff director, Subcommittee on Human Resources, Washington, DC, dated April 3, 1984 ... 409
Brandon, Maxine, MSSW, CSW, counselor, Amarillo, TX, postcard to Chairman Andrews, dated January 6, 1984 ... 222
Carlisle, Ann Linden, chairman, National Steering Committee of State Juvenile Justice Advisory Groups, Cape Elizabeth, ME:
  "High Court to Hear Challenge to Juvenile Detention Practices," from Criminal Justice Newsletter, Vol. 14, No. 21, October 24, 1983 ... 231
  Letter to Chairman Andrews, dated March 28, 1984 ... 229
  Letter to Chairman Andrews, dated April 13, 1984 ... 235
  Letter to Chairman Andrews, dated April 23, 1984 ... 250
  "The Schall Case: Implications for State and Local Government," article entitled ... 232
Cooper, Alva S., legislative advocate, California Peace Officers' Association, California Police Chiefs' Association, and California State Sheriff's Association, Sacramento, CA, letter to Chairman Andrews, dated May 25, 1984 ... 256
"Delinquency Prevention: An Overview for Policy Development," article entitled ... 440
Deukmejian, George, Governor, State of California, Sacramento, CA, letter to Chairman Andrews, dated March 30, 1984 ... 205
Fascell, Hon. Dante B., a Representative in Congress from the State of Florida, letter to Chairman Andrews, dated December 22, 1983, with enclosure ... 200
Gardell, Richard, vice chair, Minnesota Juvenile Justice Advisory Committee, Department of Energy, Planning and Development, St. Paul, MN, letter to Chairman Andrews, dated May 11, 1984 ... 251
Girls Clubs of America, Inc., GCA policy statements ... 217
Health and Welfare Commission, Runaway and Homeless Youth (resolution) ... 226
Heckler, Margaret M., Secretary, Department of Health and Human Services, Washington, DC:
  Letter to Chairman Andrews, dated August 1, 1983, with enclosure ... 316
  Letter to Chairman Perkins, dated April 24, 1984 ... 203
  Letter to Hon. Thomas P. O'Neill, Jr., Speaker of the House of Representatives, dated September 26, 1983, enclosing annual report of 1982 ... 257
Hubert H. Humphrey Institute of Public Affairs, University of Minnesota, Minneapolis, MN, "Rethinking Juvenile Justice," article entitled ... 510
"In the Forefront: Removal of Juveniles from Adult Jails," from Illinois Department of Children and Family Services, division of youth and community services, juvenile justice section, article entitled ... 516
"Jails: Intergovernmental Dimensions of a Local Problem," a commission report (miscellaneous page), from Advisory Commission on Intergovernmental Relations, Washington, DC ... 492
Johnson, Gordon, director, Department of Children and Family Services, State of Illinois, Springfield, IL, letter to Chairman Andrews, dated May 25, 1984 ... 253
Lyss, Lynn, chairperson, Midwest Coalition, State Advisory Group on Juvenile Justice and Delinquency Prevention, Department of Public Safety, Jefferson City, MO, letter to Chairman Andrews, dated April 20, 1984 ... 249
Miller, Roberta Balstad, Ph.D., executive director, Consortium of Social Science Associations, Washington, DC:
  List of members ... 185
  Prepared statement of ... 177
National Collaboration for Youth, Washington, DC, letter to Chairman Andrews, dated March 22, 1984 ... 227
National PTA, Chicago, IL, resolutions adopted by delegates to the 1983 National PTA Convention ... 216
Newspaper and magazine articles:
  "Costs Soar for Jailing Juveniles," from USA Today ... 656
  "Feds Cut THS Youth Funds," from Lake Tahoe News, South Lake Tahoe, CA, Vol. XXXVI, No. 30, July 23-29, 1983 ... 639
  "Finding Justice for Jailed Children," article entitled ... 652
  "Firearms and Suicide in the United States," from American Journal of Public Health, Vol. 74, No. 2, February 1984 ... 710
  "How Florida Took the Reform Out of Reform School," from Student Lawyer, November 1983 ... 634

Page

Newspaper and magazine articles—Continued
- "Juveniles: A Holding Action," from Newsweek, June 18, 1984 658
- "Juvenile Justice: Time for New Direction?" from Crime & Delinquency, July 1983 694
- "Mapping the Streets of Crime," from Newsweek, December 19, 1983 645
- "Physical Punishment and Delinquency: A Research Note," from Youth & Society, Vol. 15, No. 2, December 1983 660
- "Private, For-Profit Prisons Take Hold in Some States," article entitled 657
- "Punishment for Profit," from Across The Board, Vol. 21, March 1984 702
- "Reformers Admit Juggling Statistics," article entitled 655
- "Removal of Juveniles From Adult Jails," president's message, from the National Sheriff, February–March 1984 648
- "Runaways: Counselors Help Youngsters and Parents Reunite at Local Shelter," from Sparks Tribune, the Community Newspaper, Vol. 75, No. 49, December 7, 1983 643
- "Tahoe Runaway Service Seeks Capitol Help," from Tahoe Daily Tribune, July 22, 1983 642
- "Tahoe Youth Runaway Funds Are Running Out," from Tahoe Daily Tribune, South Lake Tahoe, CA, July 15, 1983 640
- "The 'Benefits' of Jailing Kids," from New York Times, June 6, 1984 659
- "Thousands of Youths Jailed With Adults Each Year Despite Reform Efforts," from New York Times, December 28, 1983 646
- "Trends in Serious Juvenile Crime," from Criminal Justice and Behavior, Vol. 10, No. 4, December 1983 672
- "We Shouldn't Let Runaways Down," editorial from Tahoe Daily Tribune, July 18, 1983 641

Oxborrow, Elmo, president, Nevada State PTA, Las Vegas, NV, letter to Dear Congressman, dated March 19, 1984 225

Panagiotou, Marilyn, counseling supervisor, Amarillo, TX, postcard to Chairman Andrews, dated January 6, 1984 223

Quigley, Charles N., prepared statement on behalf of Center for Civic Education/Law in a Free Society, Constitutional Rights Foundation, and National Institute for Citizen Education in the Law 186

Reader, W. Don, chairman, Governmental and Legislation Committee, National Council of Juvenile and Family Court Judges, Family Court, Stark County, Canton, OH, letter to Chairman Andrews, dated March 2, 1984 224

Regnery, Alfred S., Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, DC:
- Acting Administrator, letter to Chairman Andrews, dated April 20, 1983, with enclosure 421
- Memorandum to Edward C. Schmults, Deputy Attorney General, dated September 6, 1983, with attachment 417

Rothenberg, Marc S., chair, the State Bar of California, San Francisco, CA, letter to Chairman Andrews, dated April 17, 1984 248

Rothman, Flora, chairperson, State Alliance for Youth, New York, NY, letter to Gordon Raley, staff director, Subcommittee on Human Resources, Washington, DC, dated December 5, 1983, with attachment 220

"Runaway and Homeless Youth in New York City," a report to the Ittleson Foundation, New York City 559

"Runaway Youth: Government Response to a National Problem," from State Legislative Report, Vol. 7, No. 2, February 1982 549

Ruppel, Wendy, chair, Salt Lake County Commission on Youth, Salt Lake City, UT, letter to Congressman Dan Marriott, dated May 25, 1984 255

Stansell, Kathie V., vice chair, Illinois Juvenile Justice Commission, Department of Children and Family Services, State of Illinois, Chicago, IL:
- "Fact Sheet: The Jailing of Illinois' Juveniles," (charts) 239
- "Kids in Jail: It's Your Move" (cover page) 238
- Letter to Chairman Andrews, dated April 15, 1984 237

Stienkemeyer, Elaine, president, the National PTA, Chicago, IL, letter to Chairman Andrews, dated May 24, 1984 252

"The ACLD-R&D Project: A Study Investigating the Link Between Learning Disabilities and Juvenile Delinquency," executive summary (miscellaneous pages) 512

Ungar, Manya S., vice president for legislative activity, the National PTA, Chicago, IL, letter to Chairman Andrews, dated March 30, 1984 234

Page

U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention:

"Children in Custody: Advance Report on the 1979 Census of Private Juvenile Facilities," article entitled ... 499

"Children in Custody: Advance Report on the 1979 Census of Public Juvenile Facilities," dated October 1980, article entitled ... 504

JUVENILE JUSTICE, RUNAWAY YOUTH, AND MISSING CHILDREN'S ACT AMENDMENTS OF 1984

WEDNESDAY, MARCH 7, 1984

House of Representatives,
Subcommittee on Human Resources,
Committee on Education and Labor,
Washington, DC.

The subcommittee met, pursuant to call, at 10:35 a.m., in room 2175, Rayburn House Office Building, Hon. Ike Andrews (chairman of the subcommittee) presiding.

Members present: Representatives Andrews, Petri, and Chandler.

Also present: Representatives Perkins and Kildee.

Staff present: Gordon A. Raley, staff director; Deborah LaMay Hall, clerk; and Edward J. Larson, Republican assistant counsel for human resources.

[Text of H.R. 4971 follows:]

I

98TH CONGRESS
2D SESSION

H. R. 4971

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1985 through 1989, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 29, 1984

Mr. ANDREWS of North Carolina (for himself, Mr. PERKINS, Mr. PETRI, Mr. SIMON, and Ms. SNOWE) introduced the following bill; which was referred to the Committee on Education and Labor

---

A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1985 through 1989, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—GENERAL PROVISIONS

SHORT TITLE

SEC. 101. This Act may be cited as the "Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984".

FINDINGS

Sec. 102. Section 101(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601(a)) is amended—

(1) in paragraph (1)—

(A) by striking out "account" and inserting in lieu thereof "accounted", and

(B) by striking out "today" and inserting in lieu thereof "in 1974 and for less than one-third of such arrests in 1983",

(2) in paragraph (2) by inserting "and inadequately trained staff in such courts, services, and facilities" after "facilities",

(3) in paragraph (3) by striking out "the countless, abandoned, and dependent", and

(4) in paragraph (5) by striking out "prevented" and inserting in lieu thereof "reduced".

PURPOSE

Sec. 103. Section 102(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602(a)) is amended—

(1) in paragraph (1) by striking out "prompt" and inserting in lieu thereof "ongoing",

(2) in paragraph (4) by striking out "an information clearinghouse to disseminate" and inserting in lieu thereof "the dissemination of", and

(3) in paragraph (7) by inserting "and homeless" after "runaway".

DEFINITIONS

SEC. 104. Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (3)—

(A) by striking out "control,",

(B) by striking out "for neglected, abandoned, or dependent youth and other youth", and

(C) by inserting "juvenile" after "prevent",

(2) in paragraph (6) strike out "services," and insert in lieu thereof "services),",

(3) in paragraph (14) by striking out "and" at the end thereof,

(4) in paragraph (15) by striking out the period at the end thereof and inserting in lieu thereof "; and", and

(5) by adding at the end thereof the following new paragraph:

"(16) the term 'valid court order' means a court order given by a juvenile court judge to a juvenile who has been brought into court. In order to be in violation of a valid court order, the juvenile must first have been brought into the court and made subject to a court order. The juvenile in question would have to have received adequate and fair warning of the consequences of violation of the order at the time it was issued. The use of the word 'valid' permits the incarceration of juveniles for violation of a valid court order only if they received their full due process rights as specifically enumerated by the United States Supreme Court.".

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 201. Section 201 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611) is amended—

(1) striking out subsection (e),

(2) by amending subsection (f) to read as follows:

"(e) There shall be in the Office a Deputy Administrator who shall be appointed by the Attorney General and whose function shall be to supervise and direct the National Institute for Juvenile Justice and Delinquency Prevention established by section 241 of this Act. The Deputy Administrator shall also perform such functions as the Administrator may from time to time assign or delegate and shall act as the Administrator during the absence or disability of the Administrator.", and

(3) by striking out subsection (g).

TECHNICAL AMENDMENTS

SEC. 202. (a) Section 202(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5612(a)) is amended by striking out "him" and inserting in lieu thereof "the Administrator".

(b) Section 202(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5612(c)) is amended—

(1) by striking out "him" and inserting in lieu thereof "the Administrator", and

(2) by striking out "his functions" and inserting in lieu thereof "the functions of the Administrator".

CONCENTRATION OF FEDERAL EFFORTS

SEC. 203. (a) Section 204(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(a)) is amended by striking out "his functions" and inserting in lieu thereof "the functions of the Administrator".

(b) Section 204(b)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(b)) is amended—

(1) in paragraph (2) by striking out "he" and inserting in lieu thereof "the Administrator", and

(2) in paragraph (4) by striking out "he" and inserting in lieu thereof "the Administrator".

(c) Section 204(e) the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(e)) is amended by striking out "subsection ('l')" and inserting in lieu thereof "subsection (l)".

(d) Section 204(f) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(f)) is amended—

(1) by striking out "him" and inserting in lieu thereof "the Administrator", and

(2) by striking out "he" and inserting in lieu thereof "the Administrator".

(e) Section 204(g) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(g)) is amended by striking out "his functions" and inserting in lieu thereof "the functions of the Administrator".

(f) Section 204(i) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(i)) is amended—

(1) by striking out "title" and inserting in lieu thereof "section", and

thereof "section", and

(2) by striking out "he" and inserting in lieu thereof "the Administrator".

(g) Section 204(l) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(l)) is amended—

(1) in paragraph (1)—

(A) by striking out "section 204(d)(1)" and inserting in lieu thereof "subsection (d)(1)", and

(B) by striking out "section 204(f)" and inserting in lieu thereof "subsection (f)",

(2) in paragraph (2)—

(A) by striking out "subsection (l)" and inserting in lieu thereof "paragraph (1)", and

(B) by striking out "section 204(e)" each place it appears and inserting in lieu thereof "subsection (e)", and

(3) in paragraph (3)—

(A) by striking out "him" and inserting in lieu thereof "the Administrator", and

(B) by striking out "subsection (l)" and inserting in lieu thereof "paragraph (1)".

(h) Section 204(m) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(m)) is amended by striking out "7.5 percent" and inserting in lieu thereof "4 percent".

COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 204. (a) Section 206(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 561[illegible](a)(1)) is amended by striking out "Community Services Administration" and inserting in lieu thereof "Office of Community Services".

(b) Section 206(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(c)) is amended by striking out "deliquency" and inserting in lieu thereof "delinquency".

(c) Section 206(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(e)) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(d) Section 206(g) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(g)) is amended by striking out "$500,000" and insert in lieu thereof "$200,000".

NATIONAL ADVISORY COMMITTEE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 205. (a) Section 207(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617(a)) is amended—

(1) in paragraph (2)—

(A) by striking out "and persons" and inserting in lieu thereof "persons",

(B) by inserting "the family," after "problems of", and

(C) by inserting before the period at the end thereof the following: "; members of State advisory groups appointed pursuant to section 223(a)(3) of this title; and local and State elected officials", and

(2) in paragraph (3) by inserting after "(3)" the following: "At least 2 of the individuals appointed as members of the Advisory Committee shall be residents of rural areas.".

(b) Section 207(b)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617(b)(2)) is amended by striking out "may" and inserting in lieu thereof "shall".

(c) Section 207(h) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617(h)) is amended by striking out "$500,000" and inserting in lieu thereof "$200,000".

TECHNICAL AMENDMENTS

SEC. 206. (a) The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by inserting after the heading for subpart I of part B of title II the following new heading for section 221:

"AUTHORITY TO MAKE GRANTS".

(b) Section 222(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632(b)) is amended—

(1) by striking out "and the Trust Territory" and inserting in lieu thereof "the Trust Territory", and

(2) by inserting ", and the Commonwealth of the Northern Mariana Islands" after "Pacific Islands".

STATE PLANS

SEC. 207. (a) Section 223(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)) is amended—

(1) paragraph (3)—

(A) by amending subparagraph (C) to read as follows:

"(C) which shall include (i) representatives of private organizations, including those with a special focus on maintaining and strengthening the family unit, those concerned with delinquency prevention and treatment and with neglected or dependent children, and those concerned with the quality of juvenile justice, education, or social services for children; (ii) representatives of organizations which utilize volunteers to work with delinquents or potential delinquents; (iii) representatives of community based delinquency prevention or treatment programs; (iv) representatives of business groups or businesses employing youth; (v) youth workers involved with alternative youth programs; and (vi) persons with special experience and competence in addressing the problems of the family, school violence and vandalism, and learning disabilities,", and

(B) in subparagraph (F)—

(i) in clause (ii) by striking out "paragraph (12)(A) and paragraph (13)" and inserting in lieu thereof "paragraphs (12), (13), and (14)", and

(ii) in clause (iv) by striking out "paragraph (12)(A) and paragraph (13)" and inserting in lieu thereof "paragraphs (12), (13), and (14)",

(2) in paragraph (9) by inserting "special education," after "education,",

(3) in paragraph (10)—

(A) in subparagraph (E) by inserting ", including programs to counsel delinquent youth and other youth regarding the opportunities which education provides" before the semicolon at the end thereof,

(B) in subparagraph (F) by inserting "and their families" before the semicolon at the end thereof,

(C) in subparagraph (H)—

(i) in clause (iii) by striking out "or" at the end thereof,

(ii) in clause (iv) by inserting "or" at the end thereof, and

(iii) by adding at the end thereof the following new clause:

"(v) involve parents and other family members in addressing the delinquency-related problems of juveniles;",

(D) in subparagraph (I) by striking out "and" at the end thereof,

(E) in subparagraph (J) by inserting "and" at the end thereof, and

(F) by adding at the end thereof the following new subparagraph:

"(K) programs and projects designed to provide for the treatment of juveniles' dependence on or abuse of alcohol or other addictive or nonaddictive drugs;",

(4) by amending paragraph (12) to read as follows:

"(12)(A) provide within three years after submission of the initial plan that juveniles who—

"(i) are charged with or have committed offenses that would not be criminal if committed by an adult;

"(ii) have committed offenses which are not found to constitute violations of valid court orders; or

"(iii) are such nonoffenders as dependent or neglected children;

shall not be placed in secure detention facilities or secure correctional facilities; and

"(B) provide that the State shall submit annual reports to the Administrator containing a review of the progress made by the State to achieve the deinstitutionalization of juveniles described in subparagraph (A) and a review of the progress made by the State to provide that such juveniles, if placed in facilities, are placed in facilities which—

"(i) are the least restrictive alternatives appropriate to the needs of the child and the community involved;

"(ii) are in reasonable proximity to the family and the home communities of such juveniles, and "(iii) provide the services described in section 103(1);".

(5) by amending paragraph (14) to read as follows:

"(14) provide that, beginning after the 5-year period following December 8, 1980, no juvenile shall be detained or confined in any jail or lockup for adults, except that the Administrator shall, through 1989, promulgate regulations which make exceptions with regard to the detention of juveniles accused of nonstatus offenses who are awaiting an initial court appearance pursuant to an enforceable State law requiring such appearances within 24 hours of custody (excluding weekends and holidays) provided that such exceptions are limited to areas which—

"(i) are outside a Standard Metropolitan Statistical Area,

"(ii) have no existing acceptable alternative placement available, and

"(iii) are in compliance with the provisions of paragraph (13).".

(6) in paragraph (18)—

(A) by striking out "arrangements are made" and inserting in lieu thereof "arrangements shall be made",

(B) by striking out "Act. Such" and inserting in lieu thereof "Act and shall provide for the terms and conditions of such protective arrangements established pursuant to this section, and such",

(C) in subparagraph (D) by inserting "and" at the end thereof,

(D) in subparagraph (E) by striking out the period at the end thereof and inserting in lieu thereof a semicolon, and

(E) by striking out the last sentence of such paragraph,

(7) by striking out the last sentence thereof,

(8) by redesignating paragraphs (17), (18), (19), (20), (21), and (22) as paragraphs (18), (19), (20), (21), (22) and (23), respectively, and

(9) by inserting after paragraph (16) the following new paragraph:

"(17) provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen and maintain the family units of delinquent and other youth to prevent juvenile delinquency. Such approaches should include the involvement of grandparents or other extended family members when possible and appropriate;".

GRANTS AND CONTRACTS

SEC. 208. Section 224 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended to read as follows:

"AUTHORITY TO MAKE GRANTS AND CONTRACTS

"SEC. 224. (a) From not less than 15 percent, but not more than 25 percent, of the funds appropriated to carry out this part, the Administrator shall, by making grants to and entering into contracts with public and private nonprofit agencies, organizations, institutions, or individuals to do each of the following during each fiscal year:

"(1) develop and maintain community based alternatives to traditional forms of institutionalization of juvenile offenders;

"(2) develop and implement effective means of diverting juveniles from the traditional juvenile justice and correctional system, including restitution and reconciliation projects which test and validate selected arbitration models, such as neighborhood courts or panels, and increase victim satisfaction while providing alternatives to incarceration for detained or adjudicated delinquents;

"(3) develop statewide programs through the use of subsidies or other financial incentives designed to—

"(A) remove juveniles from jails and lockups for adults;

"(B) replicate juvenile programs designated as exemplary by the National Institute of Justice; or

"(C) establish and adopt, based upon the recommendations of the Advisory Committee, standards for the improvement of juvenile justice within each State involved;

"(4) develop and support programs to encourage the improvement of due process available to juveniles in the juvenile justice system;

"(5) develop and implement model programs, relating to the special education needs of delinquent and other youth, which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies; and

"(6) develop model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency.

"(b) From any special emphasis funds remaining available after grants and contracts are made under subsection (a), but not to exceed 10 percent of the funds appropriated to carry out this part, the Administrator is authorized, by making grants to and entering into contracts with public and private nonprofit agencies, organizations, institutions, or individuals, to develop and implement new approaches, techniques, and methods designed to—

"(1) improve the capability of public and private agencies and organizations to provide services for delinquents and other youth to help prevent juvenile delinquency;

"(2) develop and implement, in coordination with the Secretary of Education, model programs and methods to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions and to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;

"(3) develop and support programs stressing advocacy activities aimed at improving services to youth impacted by the juvenile justice system;

"(4) develop, implement, and support, in conjunction with the Secretary of Labor, other public and private agencies and organizations and business and industry programs for youth employment;

"(5) develop and support programs designed to encourage and enable State legislatures to consider and further the purposes of this title, both by amending

State laws if necessary, and devoting greater resources to those purposes;

"(6) develop and implement programs relating to juvenile delinquency and learning disabilities, including on-the-job training programs to assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning disabled and other handicapped juveniles; and

"(7) develop and implement special emphasis prevention and treatment programs relating to juveniles who commit serious crimes.

"(c) Not less than 30 percent of the funds available for grants and contracts under this section shall be available for grants to and contracts with private nonprofit agencies, organizations, or institutions which have had experience in dealing with youth.

"(d) Assistance provided under this section shall be available on an equitable basis to deal with female, minority, and disadvantaged youth, including mentally, emotionally, or physically handicapped youth.

"(e) Not less than 5 percent of the funds available for grants and contracts under this section shall be available for grants and contracts designed to address the special needs and problems of juvenile delinquency in the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific

Islands, and the Commonwealth of the Northern Mariana Islands.".

APPROVAL OF APPLICATIONS

SEC. 209. (a) Section 225(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5635(b)) is amended—

(1) in paragraph (2) by inserting "(such purpose or purposes shall be specifically identified in such application)" before the semicolon,

(2) in paragraph (5) by striking out ", when appropriate" and inserting in lieu thereof "(if such local agency exists)", and

(3) in paragraph (8) by striking out "indicate" and inserting in lieu thereof "attach a copy of".

(b) Section 225(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5635(c)) is amended—

(1) by inserting "and for contracts" after "for grants", and

(2) in paragraph (4) by striking out "delinquents and other youth to help prevent delinquency" and inserting in lieu thereof "address juvenile delinquency and juvenile delinquency prevention".

(c) Section 225 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5635) is amended—

(1) by redesignating subsection (d) as subsection (e), and

(2) inserting after subsection (c) the following new subsection:

"(d) New programs selected after the effective date of the Juvenile Justice and Delinquency Prevention Act Amendments of 1984 for assistance under section 224 shall be selected through a competitive process to be established by the Administrator. As part of such process, the Administrator shall announce publicly the availability of funds for such assistance, the general criteria applicable to the selection of applicants to receive such assistance, and a description of the processes applicable to submitting and reviewing applications for such assistance.".

(d) Section 225 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5035) is amended by adding at the end thereof the following new subsection:

"(f) Notification of grants and contracts made under section 224 (and the applications submitted for such grants and contracts) shall, upon being made, be transmitted by the Administrator, to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate.".

USE OF FUNDS

SEC. 210. Section 227(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5637(c)) is amended by striking out "section 224(a)(7)" each place it appears and inserting in lieu thereof "section 224(b)(3)".

PAYMENTS

SEC. 211. (a) Section 228(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5638(a)) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(b) Section 228(d) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5638(d)) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(c) Section 228(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5638(e)) is amended—

(1) by striking out "him" and inserting in lieu thereof "the Administrator", and

(2) by striking out "section 224(a)(5)" and inserting in lieu thereof "section 224(a)(3)".

NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 212. (a) The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by inserting after the heading for part C of title II the following new heading for section 241:

"ESTABLISHMENT OF NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION".

(b) Section 241(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(b)) is amended by striking out "section 201(f)" and inserting in lieu thereof "section 201(e)".

(c) Section 241(d) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(d)) is amended to read as follows:

"(d) It shall be the purpose of the Institute to provide—

"(1) a coordinating center for the collection, preparation, and dissemination of useful data regarding the prevention and treatment of juvenile delinquency; and

"(2) appropriate training (including training designed to strengthen and maintain the family unit) for representatives of Federal, State, local law enforcement officers, teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, probation personnel, correctional personnel (including volunteer lay personnel), persons associated with law-related education, youth workers, and representatives of private agencies and organizations with specific experience in the prevention and treatment of juvenile delinquency.".

(d) The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended—

(1) by redesignating subsection (f) as subsection (g),

(2) by inserting after subsection (e) the following new subsection:

"(f) The Administrator, acting through the Institute, shall provide, not less frequently than once every two years, for a national conference of member representatives from State advisory groups for the purpose of disseminating information, data, standards, advanced techniques, and program models developed through the Institute.", and

(3) by adding at the end thereof the following new subsection:

"(d) Any grant or contract made under this part after the effective date of the Juvenile Justice and Delinquency Prevention Act Amendments of 1984 shall be selected through a competitive process to be established by the Administrator. As part of such process, the Administrator shall announce publicly the availability of funds for such grant or contract, the general criteria applicable to the selection of applicants to receive such grant or contract, and a description of the processes applicable to submitting and reviewing applications for such grant or contract.".

RESEARCH, DEMONSTRATION, AND EVALUATION FUNCTIONS

SEC. 213. Section 243 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5653) is amended—

(1) in paragraph (4) by striking out "Associate", and

(2) in paragraph (5) by striking out "recreation and" and inserting in lieu thereof "familial relationships, recreation, and".

TRAINING FUNCTIONS

SEC. 214. Section 244 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5654) is amended—

(1) in paragraph (1)—

(A) by striking out "or who are" and inserting in lieu thereof "working with or", and

(B) by striking out "and juvenile offenders" and inserting in lieu thereof ", juvenile offenders, and their families",

(2) in paragraph (2) by striking out "workshop" and inserting in lieu thereof "workshops", and

(3) in paragraph (3) by striking out "teachers" and all that follows through the end thereof and inserting in lieu thereof the following: "teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, probation personnel (including volunteer lay personnel), persons associated with law-related education, youth workers, and organizations with specific experience in the prevention and treatment of juvenile delinquency; and".

ESTABLISHMENT OF TRAINING PROGRAM

SEC. 215. Section 248(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5659(b)) is amended to read as follows:

"(b) Enrollees in the training program established under this section shall be drawn from correctional and law enforcement personnel, teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, correctional personnel (including volunteer lay personnel), persons associated with law-related education, youth workers, and representatives of private agencies and organizations with specific experience in the prevention and treatment of juvenile delinquency.".

TRAINING PROGRAM

SEC. 216. (a) The heading for section 250 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661) is amended to read as follows:

"PARTICIPATION IN TRAINING PROGRAM AND STATE ADVISORY GROUP CONFERENCES".

(b) Section 250(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661(c)) is amended to read as follows:

"(c) While participating as a trainee in the program established under section 248 or while participating in any conference held under section 241(f), and while traveling in connection with such participation, each person so participating shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed travel expenses under section 5703 of title 5, United States Code. No consultation fee may be paid to such person for such participation.".

ESTABLISHMENT OF LAW-RELATED EDUCATION RESOURCE CENTER

SEC. 217. The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by inserting after section 250 the following new section:

"LAW-RELATED EDUCATION RESOURCE CENTER

"SEC. 251. (a) There is hereby established within the Institute a Law-Related Education Resource Center (referred to in this part as the 'Center').

"(b) The Administrator, through the Center, is authorized to provide, either directly or through grants or contracts, for—

"(1) technical assistance at the Federal, State, and local levels to public and private educational agencies and institutions to implement and replicate law-related education delinquency prevention programs;

"(2) delinquency prevention training programs and materials for persons who are responsible for the implementation of law-related education programs in elementary and secondary schools;

"(3) research, demonstration, and evaluation programs designed to determine the most effective means of implementing and replicating law-related education programs in order to maximize their potential for delinquency prevention; and

"(4) dissemination of information concerning the findings of such research, demonstration, and evaluation programs.

"(c) For purposes of this section the term 'law-related education' means education which provides nonlawyers, especially students, with knowledge and skills pertaining to the law, the legal process, and the legal system, and the fundamental principles and values upon which these are based.

"(d) Not less than 15 percent, but not more than 20 percent, of the funds available to carry out this part, shall be available to carry out the purposes of this section.".

AUTHORIZATION OF APPROPRIATIONS

SEC. 218. (a) The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by inserting after the heading for part D of title II the following new heading for section 261:

"AUTHORIZATION OF APPROPRIATIONS".

(b) The first sentence of section 261(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671(a)) is amended—

(1) by striking out "ending September 30, 1981" and all that follows through "1983, and September 30,", and

(2) by inserting before the period the following: ", 1985, 1986, 1987, 1988, and 1989".

(c) Section 261(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671(b)) is amended by striking out "section 261(a) of the Juvenile Justice and Delinquency Prevention Act of 1974" and inserting in lieu thereof "subsection (a)".

(d) Section 261 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended—

(1) by redesignating subsection (c) as subsection (d),

(2) by inserting after subsection (b) the following new subsection:

"(c) Of such sums as are appropriated to carry out the purposes of this title—

"(1) not to exceed 4 percent shall be available to carry out part A;

"(2) not less that 85 percent shall be available to carry out part B; and

"(3) 11 percent shall be available to carry out part C.", and

(3) by adding at the end thereof the following new subsection:

"(e) No funds appropriated to carry out the purposes of this title may be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation.".

TITLE III—RUNAWAY AND HOMELESS YOUTH

RULES

SEC. 301. Section 303 of the Runaway and Homeless Youth Act (42 U.S.C. 5702) is amended to read as follows:

"RULES

"SEC. 303. The Secretary of Health and Human Services (hereinafter in this title referred to as the 'Secretary') may issue such rules as the Secretary considers necessary or appropriate to carry out the purposes of this title.".

PURPOSES OF GRANT PROGRAM

SEC. 302. (a) Section 311(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(a)) is amended by inserting "and their families" before the period at the end thereof.

(b) Section 311(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(b)) is amended by inserting "and to the families of such juveniles" before the period at the end thereof.

ELIGIBILITY

SEC. 303. Section 312(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended—

(1) in paragraph (2) by striking out "portion" and inserting in lieu thereof "proportion",

(2) in paragraph (3) by striking out "(if such action is required by State law)",

(3) in paragraph (5) by striking out "parents" and inserting in lieu thereof "families", and

(4) in paragraph (6) by striking out "parents" and inserting in lieu thereof "family members".

GRANTS TO PRIVATE AGENCIES, STAFFING

SEC. 304. Section 314 of the Runaway and Homeless Youth Act (42 U.S.C. 5614) is amended by striking out "house" and inserting in lieu thereof "center".

REORGANIZATION

SEC. 305. Part C of the Runaway and Homeless Youth Act (42 U.S.C. 5741) is repealed.

AUTHORIZATION OF APPROPRIATIONS

SEC. 306. (a) Part D of the Runaway and Homeless Youth Act (42 U.S.C. 5651) is redesignated as part C.

(b) The Runaway and Homeless Youth Act (42 U.S.C. 5601 et seq.) is amended by inserting after the heading for part D the following new heading for section 341:

"AUTHORIZATION OF APPROPRIATIONS".

(c) Section 341(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(a)) is amended by striking out "each of the fiscal years" and all that follows through the period at the end thereof and inserting in lieu thereof "$25,000,000 for fiscal year 1984; $26,250,000 for fiscal year 1985; $27,600,000 for fiscal year 1986; $28,950,000 for fiscal year 1987; $30,400,000 for fiscal year 1988; and $31,900,000 for fiscal year 1989.".

(d) Section 341(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(b)) is amended by striking out "Associate".

(e) Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5651) is amended by adding at the end thereof of the following new subsection:

"(c) No funds appropriated to carry out the purposes of this title—

"(1) may be used for any program or activity which is not specifically authorized by this title; or

"(2) may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant or a single discretionary payment.".

(f) Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5757) is redesignated as section 331.

TITLE IV—MISSING CHILDREN'S ASSISTANCE

ASSISTANCE RELATING TO MISSING CHILDREN

SEC. 400. The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), is amended by adding at the end thereof the following new title:

"SHORT TITLE

"SEC. 401. This title may be cited as the 'Missing Children's Assistance Act'.

"FINDINGS

"SEC. 402. The Congress hereby finds that—

"(1) each year many children are abducted, or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place them in grave danger;

"(2) many of these children are never reunited with their families;

"(3) often there are no clues as to the whereabouts of these children;

"(4) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

"(5) abducted children are frequently moved from one locality to another requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

"(6) on frequent occasions, law enforcement authorities and others searching for children quickly exhaust all leads in missing children cases and require assistance from distant communities where the children may be located; and

"(7) Federal assistance is urgently needed to coordinate and assist in efforts to address this interstate problem.

"DEFINITIONS

"SEC. 403. For purposes of this title—

"(1) the term 'missing child' means any individual less than 18 years of age who disappears if the circumstances surrounding such individual's disappearance indicate that such individual may possibly have been abducted or that such individual may possibly have been removed from the control of a parent having legal custody of such individual without such parent's consent; and

"(2) the term 'Secretary' means the Secretary of Health and Human Services.

"ESTABLISHMENT OF NATIONAL BUREAU OF MISSING CHILDREN

"SEC. 404. (a) There is hereby established within the Administration for Children, Youth, and Families within the Department of Health and Human Services a National Bureau of Missing Children (hereinafter in this title referred to as the 'Bureau').

"(b) The Secretary may issue such rules as the Secretary considers necessary or appropriate to carry out this title.

"(c) The Bureau shall be under the general authority of the Secretary and shall be headed by a Director to be appointed by the Secretary.

"FUNCTIONS OF THE BUREAU

"SEC. 405. The Secretary, acting through the Bureau, shall—

"(1) make such arrangements as may be necessary and appropriate to ensure that there is effective coordination among all federally-funded programs relating to missing children (including the preparation of an annual comprehensive plan for assuring such coordination);

"(2) allocate staff and resources which are adequate to properly carry out the functions of the Bureau;

"(3) establish and operate, either directly or through grants or contracts, a national toll-free telephone line by which individuals may report and receive information regarding the disappearance or location of any missing child and pertaining to procedures necessary to reunite such child with such child's family, parent having legal custody, or legal guardian;

"(4) provide technical assistance to local and State governments, public and private nonprofit agencies, and individuals in locating and recovering missing children;

"(5) coordinate Federal efforts to locate missing children and reunite them with their families, parents having legal custody, or legal guardians;

"(6) disseminate information nationally on innovative and model programs, services, and legislation relating to missing children;

"(7) conduct a national incidence study to determine for a given year the number of children reported missing, the number of such children who are victims of abductions by strangers, the number of such children who are removed from the control of parents having legal custody of such children without the respective parent's consent by a person known to such parent, and the number of such children who are located in a given year;

"(8) compile, publish, and disseminate an annual summary describing and evaluating recently completed Federal, State, and local research and demonstration projects relating to missing children with particular emphasis on—

"(A) effective models of local, State, and Federal coordination and cooperation in locating missing children;

"(B) effective programs designed to promote community awareness of the problem of missing children;

"(C) effective programs to prevent the abduction of children (including parent, child, and community education); and

"(D) effective program models which provide treatment, counseling, or other aid to parents of missing children or to children who have been the victims of abduction.

"GRANTS

"Sec. 406. (a) The Secretary, acting through the Bureau, is authorized to make grants to and enter into contracts with public agencies and private nonprofit agencies for research, demonstration projects, and service programs designed—

"(1) to educate parents, children, and community agencies and organizations in ways to prevent the abduction of children;

"(2) to provide public information to assist in the locating and return of missing children;

"(3) to aid communities in the collection of materials which will be useful to parents in assisting others to identify such children;

"(4) to increase knowledge of and develop effective treatment pertaining to the psychological consequences to both parents and children resulting from a child's abduction, both during the period of disappearance and after the child is returned; and

"(5) to collect data from selected States or localities on the investigative practices used by law enforcement agencies in cases involving missing children.

"(b) In considering applications for assistance under this title, the Secretary shall give priority to applicants who have demonstrated experience in—

"(1) providing services to missing children or the families of missing children;

"(2) conducting research relating to missing children; or

"(3) locating missing children and reuniting them with their families.

"(c) The Secretary, acting through the Bureau, shall encourage the substantial utilization of volunteers in such demonstration projects and service programs as the Secretary deems appropriate.

"CRITERIA FOR GRANTS

"SEC. 407. The Secretary, acting through the Bureau, shall establish priorities for making grants or contracts under section 406 and, not less than 60 days before establishing such priorities, shall publish in the Federal Register for public comment a statement specifying such priorities.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 408. (a) To carry out this part, there are authorized to be appropriated $10,000,000 for fiscal year 1985, $10,500,000 for fiscal year 1986, $11,000,000 for fiscal year 1987, $11,600,000 for fiscal year 1988, and $12,250,000 for fiscal year 1989.".

TITLE V—EFFECTIVE DATES

EFFECTIVE DATES

SEC. 501. (a) Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act or October 1, 1984, whichever occurs later.

(b) Paragraph (2) of section 341(c) of the Runaway and Homeless Youth Act, as added by section 306(e) of this Act, shall not apply with respect to any grant or payment made before the effective date of this Act.

○

Mr. Andrews. Good morning, ladies and gentlemen. The House Subcommittee on Human Resources convenes today to discuss H.R. 4971, a bill to reauthorize and extend the Juvenile Justice and Delinquency Prevention Act of 1974.

I am very pleased to be joined by Congressman Thomas Petri of Wisconsin, the ranking minority member of the subcommittee, in sponsoring the bill; along with Chairman Carl Perkins, chairman of the full Committee on Education and Labor, and Congressman Paul Simon, who will be joining us shortly, one of Congress' leading advocates for missing children. I understand that Congresswoman Olympia Snowe of Maine will also likely appear shortly.

As you can tell, the 1984 bill has a strong bipartisan flavor. That has been its history. In 1980, Congressman Tom Coleman of Missouri was an original cosponsor. In fact, when Congressman Gus Hawkins introduced the House version in 1974, Congressman Tom Railsback was the leading proponent. The program is bipartisan and our concern is nonpartisan.

The bill we have before us is a result of considerable work by staff, at my instruction and that of Mr. Petri, which attempts to bring together a large number of suggested changes made by various groups during recent months. I believe I am safe in saying that Mr. Petri and I believe that these proposed amendments represent necessary fine tuning to improve program performance—not a complete overhaul. We have adjusted the sparkplugs, reset the timing, and made a few modifications here and there.

We are bringing this model out for its first test run today. We look forward to your reaction.

Our first witness is the Honorable Charles Robb, who today represents not only the State of Virginia, but the National Governors Association as well. Governor Robb, in fact, is chairman of the Committee on Crime, Justice and Public Protection for the National Governors Association.

Governor Robb, we very generously welcome you here.

[Prepared statement of Governor Charles S. Robb follows:]

Prepared Statement of Gov. Charles S. Robb, Commonwealth of Virginia, on Behalf of the National Governors' Association, Washington, DC

Good morning, Mr. Chairman and distinguished members of the subcommittee, I am pleased to have this opportunity to appear before you today to discuss H.R. 4971 which reauthorizes the Junvenile Justice and Delinquency Prevention Act of 1974 and to explain the importance of this legislation for young people throughout the nation.

The purpose of the Juvenile Justice Act is to respond to those troubled youth who come in contact with the justice system. The original objectives of the Act were two-fold: to bring about removal of status offenders from secure correctional institutions, and to assure that adult and juvenile offenders were separately confined in correctional facilities. To these objectives, a third was added during the 1980 reauthorization of the Act—to prohibit the deteniton of juveniles in jails and lockups intended for adult offenders.

The states have made significant progress in all of these areas. For example, the number of status offenders—those youths who committed no criminal act whatsoever—that are confined in secure facilities has dropped from nearly 200,000 just five years ago, to less than 25,000 last year. Forty-eight of the fifty-three states and territories participating in the program are now in full compliance with the ten-year-old mandate of the Act.

All of the jurisdicitons participating have made substantial progress toward complying with Act's mandate regarding separation of juvenile and adult offenders.

The removal of juveniles from jails and lockups has also become a major priority for the states. The Office of Juvenile Justice and Delinquency Prevention reports significant progress on this most important initiative. Yet, the best research still indicates that more than 400,000 juveniles are held in adult jails and lockups each year.

Since the passage of the Juvenile Justice Act in 1974, some $750 million has been appropriated, at the direction of the Congress, to improve juvenile delinquency prevention and treatment. Of this total, $470 million has been appropriated to the states under the formula grant program to carry out the mandates set forth in the Act and the regulations formulated by the Office of Juvenile Justice and Delinquency Prevention. When compared to the major sums spent on other national issues during this period, this is a relatively modest amount of money. But I hope you will not assume that it has no impact, because the significance of the availability of these funds is great, as I have noted.

My home State was one of the earliest to join in the Juvenile Justice and Delinquency Prevention Act, and we have continued our participation for almost nine years. During that period, Virginia has received approximately $10.5 million to support programs for the prevention and treatment of juvenile delinquency. Our current yearly allocation is slightly less than $1 million, which is a substantial (35%) reduction in the level of allocation compared to just a few years ago. We use these funds to develop and test new methods of dealing with a difficult population. For example, we have emphasized programs to keep children in school, programs to provide nonsecure alternatives to confinement for status and minor offenders, and training programs for probation officers, judges and other youth services workers. I might add that we have been quite successful in continuing these programs through alternate funding sources, once they have had an opportunity to prove their effectiveness.

It is a credit to the states, this subcommittee, and to the myriad of organizations who have supported the Act, that we can report the level of progress in its implementation that I have cited today. However, the President, in his fiscal year 1985 budget recommendations to the Congress, is proposing termination of funding for the Juvenile Justice Act for the fourth consecutive fiscal year.

But the work in the critical domestic area is not finished; while the states have accepted an increasing responsibility, there is still a critical role for the federal government in providing leadership and financial assistance to underwrite continuation of the progress we have experienced to date. In a time of severe economic constraints, shared at the national, State and local levels, we must carefully deliberate our respective roles and the allocation of scarce resources. The significance of the Juvenile Justice and Delinquency Prevention Act has been the leadership it has provided to improve the juvenile justice system and the impetus it has provided for the development of new approaches and programs. The current mandate to remove juveniles from adult jails is an example of this leadership. Just as the Act's provisions on deinstitutionalization of status offenders led to improvement in that area, so the jail removal mandate is beginning to achieve desired results.

In Virginia there would probably be two major impacts if this program were not continued in substantially the same form as it has operated for the past decade. The first is perhaps the most tangible, though not necessarily the most important—that is, the virtually immediate elimination of funds utilized to support 20-30 local programs providing services to thousands of Virginia's children each year. The Juvenile Justice Act provides a small, but important, resource to support the development of new and more effective means of reaching these young people.

The second impact, as I see it, if this program does not continue to receive your support, will be the loss of the leadership I have cited as necessary to continue to improve our states' response to the nation's young people in crisis. The Juvenile Justice Act is a small program in the federal scheme, but it is an important demonstration of the commitment of the federal government to provide leadership in what was an often neglected area. And this leadership and setting of clear policy goals has direct relationship to goal setting on the State and local levels. Though some may view the initiatives and objectives contained in the federal law as too idealistic, we have accepted them and had much success in complying with the federal Act's requirements. Virginia has been in full compliance with the deinstitutionalization of status offenders requirement of the law since 1981. We have been working—as have over thirty other states—through the executive branch and legislative study committees to address the problems associated with the use of adult jails for juveniles. I am pleased to report that we have made significant reductions in the number of young people placed in jail in my State during my tenure, but I am aware that the problem has not been completely solved. Two years ago the jails of Virginia confined an average of 160 juveniles on daily basis. Today that number is less than 60.

The National Governors' Association urges reauthorization of the Juvenile Justice and Delinquency Prevention Act. In policy adopted in August of 1982, the NGA commended Congress for enacting the Juvenile Justice and Delinquency Prevention Act of 1974, and further encouraged the Office of Juvenile Justice and Delinquency Prevention to incorporate the following principles into its operation:

(1) The State agency designated by the Governor to develop a State's criminal and juvenile justice plan should coordinate all juvenile justice programs. No program should be funded directly under the act without the advice and comments of this agency.

(2) Discretionary grants should provide an equitable share of funds to rural and urban States for the development of juvenile justice programs.

(3) Rules, regulations, definitions, and responsibilities pursuant to the Act must be reasonable and consider the impact on the States. Furthermore, they should be designed to encourage full participation in the program by all States.

We appreciated the sensitivity of the current Administration to the differences among the States and their varying status and concerns with respect to implementation of the mandates of that Act. We urge that the spirit of cooperation which currently characterizes the relationship between the States and the federal government in the administration of the formula grants program be continued into the future. Mr. Chairman, I hope the points I have already made make it clear to you that failure to continue this partnership will have a serious detrimental impact.

I recommend to you the positions on reauthorization of the National Criminal Justice Association, the staff support for the NGA Committee on Criminal Justice and Public Protection, which I chair, and the organization which represents those individuals who administer the juvenile justice program at the State level. Their policy clearly articulates the outstanding concerns of the States with respect to the current mandates of the Act. I have submitted a copy for the record.

Mr. Chairman, in closing, I wish to commend the addition of Title IV, Missing Children's Assistance, to H.R. 4971. Missing children have become a national problem which must be addressed. The recent television program "Adam" presented the issue more appropriately than I could put into words. The problem demands our attention immediately, and I am pleased that this bill addresses it.

Mr. Chairman, I am pleased to have been invited here today and am sincerely hopeful we can look forward to reauthorization of the Juvenile Justice Act and continuation of much needed progress in the field of juvenile justice and delinquency prevention.

Thank you.

STATEMENT OF HON. CHARLES S. ROBB, GOVERNOR OF THE STATE OF VIRGINIA, AND CHAIRMAN OF THE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC PROTECTION, ACCOMPANIED BY NOLAN E. JONES, STAFF DIRECTOR, COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC PROTECTION, NATIONAL GOVERNORS ASSOCIATION, WASHINGTON, DC

Governor ROBB. Thank you. Good morning, Mr. Chairman and Mr. Petri and other members of the subcommittee who may join us as we continue. I am very pleased to have the opportunity this morning to appear before you on behalf of the Nation's Governors, and specifically the National Governors Association, to address your H.R. 4971 which reauthorizes the Juvenile Justice and Delinquency Prevention Act of 1974, and to perhaps explain the importance of this legislation to young people throughout the Nation.

Of course, the purpose of the Juvenile Justice Act—a clear and appropriate role for the Government, I might emphasize—is to catalyze progress and reform in Government's response to those troubled youth who come in contact with the justice system. As you certainly know, the original objectives of the act were twofold: To bring about the removal of status offenders from secure correctional institutions, and to assure that adult and juvenile offenders were separately confined in correctional facilities. To these objectives, a third was added during the 1980 reauthorization of the act, to prohibit the detention of juveniles in jails and lockups intended for adult offenders.

The States have made significant progress in all three of these areas. For example, the number of status offenders, those youths who committed no criminal act whatsoever, who are confined in secure facilities has dropped from nearly 200,000 just 5 years ago to less than 25,000 today. Forty-eight of the fifty-three States and territories participating in the program are now in full compliance with that 10-year-old mandate of the act.

In addition, all of the jurisdictions participating have made substantial progress toward complying with the act's mandate regarding separation of juvenile and adult offenders.

The removal of juveniles from jails and lockups has also become a major priority of the States. The Office of Juvenile Justice and Delinquency Prevention reports significant progress on this most important initiative. Yet, the best research still indicates that more than 400,000 juveniles are held in adult jails and lockups each year.

Since the passage of the Juvenile Justice Act in 1974, some $750 million has been appropriated at the direction of Congress to bringing improvement to the field of juvenile delinquency prevention and treatment. Of this total, $470 million has been appropriated to the States under the Formula Grant Program to carry out the mandate set forth in the act, as well as the regulations formulated by the Office of Juvenile Justice and Delinquency Prevention. When compared against the major sums spent on other national issues during this same period, this, it seems, is a relatively modest amount of money. But I hope that you would not assume, nor any others, that it has not had an impact, because the significance of the availability of these funds is very great, as I have noted.

My home State was one of the earliest to join in the Juvenile Justice and Delinquency Prevention Act, and we have continued to participate for almost 9 years. During that period, Virginia has received approximately $10.5 million to support programs for the prevention and treatment of juvenile delinquency. Our current yearly allocation is slightly less than $1 million, which is a substantial reduction, some 35 percent, in the level of allocation compared to just a few years ago.

We use these funds to develop and test new methods of dealing with a difficult population. For example, we have emphasized programs to keep children in school, programs to provide nonsecure alternatives to confinement for status and minor offenders, and training programs for probation officers, judges, and other youth services workers.

I might add that we have been quite successful in continuing these programs through alternative funding sources, once they have had an opportunity to prove their effectiveness.

It seems to me that it is very much of a credit to the States, and certainly to this subcommittee, and to the myriad of organizations who have supported the act, that we can report at least the level of progress in its implementation that I have been able to cite to you this morning. However, the President, in his fiscal year 1985 budget recommendations to the Congress, is proposing termination of the funding for the Juvenile Justice Act for the fourth consecutive fiscal year.

But the work of the States in this critical domestic area is not finished, and neither, in our judgment, is the role of the Federal Government in providing leadership and financial assistance to underwrite the continuation of the progress that we have experienced to date. In a time of severe economic constraints, certainly shared at the national, State, and local levels, it would seem to us that we ought to carefully deliberate our respective roles in the allocation of scarce resources that are available.

I believe the significance of the Juvenile Justice and Delinquency Prevention Act has been the leadership that it has provided to improve the juvenile justice system and the impetus it has provided for the development of new approaches and programs. The current mandate to remove juveniles from adult jails is an example of this leadership. Just as the act's provisions on the deinstitutionalization of status offender lead to improvement in that area, so the jail removal mandate is beginning to achieve the desired results with regard to the inappropriate jailing of juveniles.

In Virginia, there would probably be two major impacts if this program were not continued in substantially the same form as it has operated in the past decade. The first is perhaps the most tangible, though not necessarily the most important, and that is the almost immediate elimination of funds utilized to support some 20 to 30 local programs providing services to thousands of Virginia's children each year. The Juvenile Justice Act provides a small, but important, resource to support the development of new and more effective means of reaching these particular young people.

The second impact, as I see if, if this program does not continue to receive your support, will be the loss of the leadership I have cited as necessary to continue to improve our States' response to the Nation's young people in crisis. The Juvenile Justice Act is a relatively small program in the overall Federal scheme, but it is an important demonstration of the commitment of the Federal Government to provide leadership in what has often been a neglected area. And this leadership and the setting of clear policy goals has a direct relationship to goal-setting on the State and local levels.

Though some may view the initiatives and objectives contained in the Federal law to be too idealistic, we have accepted them and have had much success in complying with the Federal act's requirements. Virginia has been in full compliance with the deinstitutionalization of status offenders requirement of the law since 1981. We have been working—as have over 30 other States—through the executive branch and legislative study committees and others to address the problems associated with the use of adult jails for juveniles. I am very pleased to report that we have made significant reductions in the number of young people placed in jail in my State, but I am also very much aware that the problem has not yet been completely solved. Two years ago, the jails of Virginia confined an average of 160 juveniles on a daily basis; today the number is less than 60.

The National Governors Association urges reauthorization of the Juvenile Justice and Delinquency Prevention Act. In policy adopted in August 1982, the NGA commended Congress for enacting the Juvenile Justice and Delinquency Prevention Act of 1974, and further encouraged the Office of Juvenile Justice and Delinquency Prevention to incorporate the following principles into its operation:

One, the State agency designated by the Governor to develop a State's criminal and juvenile justice plan should coordinate all juvenile justice programs. No program should be funded directly under the act without the advice and comments of this agency.

Two, discretionary grants should provide an equitable share of the funds to rural and urban States for the development of juvenile justice programs.

Three, rules, regulations, definitions, and responsibilities pursuant to the act must be reasonable and consider the impact on the States. Furthermore, they should be designed to encourage full participation in the program by all States.

We appreciate the sensitivity of the current administration to the differences among the States and their varying status and concerns with respect to implementation of the mandates of that act. We urge that the spirit of cooperation which currently characterizes the relationship between the States and the Federal Government in the administration of the Formula Grants Program be continued into the future. I hope that the points I have already made make it clear that we believe a failure to continue this partnership will have a serious detrimental impact.

I recommend to you the positions on reauthorization of the National Criminal Justice Association, the staff support for the NGA Committee on Criminal Justice and Public Protection, which I chair, and the organizations which represent those individuals who administer the juvenile justice program at the State level. Their policy clearly articulates the outstanding concerns of the States with respect to the current mandates of the act. I have submitted a copy of their position for the record.

Mr. Chairman, in closing, I would like to compliment you on the addition of title IV of the missing children's assistance, to H.R. 4971. Missing children have become a national problem which, it seems to us, must be addressed accordingly. The recent television program "Adam" presented the issue more appropriately than I suspect that I could possibly put into words. We believe that the problem demands our attention immediately, and I am pleased that this bill addresses it.

Mr. Chairman, on behalf of the National Governors Association, I appreciate having been invited here today. I am sincerely hopeful that we can look forward to reauthorization of the Juvenile Justice Act and a continuation of this much needed emphasis to progress in the field of juvenile justice and delinquency prevention. I appreciate very much the opportunity to appear before you this morning. I thank you.

Mr. ANDREWS. Thank you very kindly for your statement. We look forward to your and Virginia's good work with the program.

Certainly, Governor, we wish you and your State and all of its entities success, with one possible exception. If Virginia should fail to get to the finals of the ACC Tournament and you should have any tickets left over, I would appreciate it if you would remember me. [Laughter.]

Governor **Robb**. Mr. Chairman, we have suffered on the wrong side of that question for many years, and I regret to say that I see no prospect that will change this year, particularly given the outstanding success you have enjoyed.

Mr. **Andrews**. Thank you very kindly. We do appreciate your support and your presence. Continue to let us know if there is anything we can do to make the program more effective in your State and other States. Please pass that on to Governor Hunt and your colleagues there. Thank you very kindly.

Governor **Robb**. Thank you very much, Mr. Chairman.

Mr. **Andrews**. Would you introduce for us the gentleman with you who, I believe, works with the program?

Governor **Robb**. Yes, indeed, Mr. Chairman. I would be happy to.

Mr. Nolan Jones is the staff director for the National Governors Association Criminal Justice and Public Protection Committee, and works with Mr. Tom Parker and many others in this field. If there are any questions that relate to some of the technical details of either the legislation or the administration of the program as it exists, or as it is proposed, in your reauthorization bill, Mr. Jones would be very pleased to respond to questions along those areas, or certainly will assist us in providing any additional input that this subcommittee would like to have from the NGA.

Mr. **Andrews**. Very good. We thank you.

Mr. Petri, do you have any questions of the Governor?

Mr. **Petri**. No, thank you, Mr. Chairman.

I appreciate your coming.

Governor **Robb**. Thank you.

Mr. **Andrews**. I understand that you are due back at the conference, so we will excuse you if you feel you should leave at this time.

The statement which you have brought, in addition to the one you have given to us will be, without objection, entered into the record.

Governor **Robb**. Thank you, Mr. Chairman. I appreciate, on behalf of those who toil in the executive side of Government, your understanding of the legislative demands at this particular moment, and I will proceed forthwith to the capitol in Richmond. Thank you, sir.

Mr. **Andrews**. Thank you, sir.

Next we are pleased to welcome Mr. Alfred S. Regnery, Administrator, Office of Juvenile Justice and Delinquency Prevention, and please introduce whomever, if anyone, you have with you.

[Prepared statement of Alfred S. Regnery follows:]

PREPARED STATEMENT OF ALFRED S. REGNERY, ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Mr. Chairman, I am pleased to present on behalf of the Department of Justice information regarding the activities of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and to present the Department's views concerning proposals to reauthorize the Juvenile Justice and Delinquency Prevention (JJDP) Act.

As you know, OJJDP provides assistance to states and localities for juvenile justice activities in three ways: formula Grants to the states; Special Emphasis funds to public and private agencies; and the dissemination of information and training resources of the National Institute for Juvenile Justice and Delinquency Prevention.

FORMULA GRANTS

During Fiscal Year (FY) 1983, 46 states and five territories (Puerto Rico, American Samoa, Trust Territories, the Virgin Islands, and Northern Marianas) received Formula Grant awards totalling $42,095,000. State and territorial allocations were based on the population of juveniles (under 18 years of age). The minimum allocation to each state was $225,000; Puerto Rico received $921,000 and the other territories each received $56,250.

The deinstitutionalization of status offenders and the separation of juveniles from adult offenders in jails and correctional facilities has been a major emphasis of the state programs with a goal of the complete removal of juveniles from adult jails and lock-ups by December, 1985. Participating states and territories also were encouraged to invest up to 30% of the Formula Grant funds in special efforts to deal with serious, violent junvenile offenders. Fifty-one states and territories have met special requirements of the enabling Act by demonstrating substantial or full compliance with the deinstitutionalization of status offenders; 34 states have complied with the requirements for the separation of adults and juveniles in adult jails and lock-ups. Most of the remainder are making progress. The appendix hereto describes that progress in detail.

TECHNICAL ASSISTANCE

More than 250 instances of technical assistance and more than 1,200 workhours were provided to state and local agencies during FY 1983 by the office. Assistance was in a number of areas, but emphasis was upon alternatives to the juvenile justice system, removing juveniles from adult jails, serious and violent juvenile crime, the Foster Grandparent Program, restitution and delinquency prevention.

The Office continued a previous agreement with the Federal Law Enforcement Training Center located in Georgia for seminars addressed to law enforcement administrators on current issues in juvenile justice and on the presentation of modern police management strategies to improve police juvenile services. This fiscal year, 15 seminars were held with approximately 375 law enforcement administrators in attendance.

SPECIAL EMPHASIS

A number of new programs were initiated by the Special Emphasis Division in FY 1983. These included:

Serial child murders information system.—This is the initial phase of a program designed to establish a national missing or abducted persons and serial murder tracking and prevention program. It will develop a comprehensive criminal justice tracking, pattern recognition and investigative assistance mechanism to trace and locate missing and/or abducted juveniles. Funds for this program are being provided by the National Institute for Juvenile Justice and Delinquency Prevention.

Suppression of drug distribution to juveniles.—Under this program, five law enforcement agencies will establish a structured law enforcement effort focused on serious crime perpetrated by juvenile drug users, to reduce crime frequency and drug procurement by juveniles and to increase identification, arrest, conviction and incarceration of drug pushers whose clients are primarily juveniles.

Habitual serious juvenile offenders.—This is an experimental program to control and provide treatment to that small precentage of offenders who commit a disproportionately large share of juvenile crimes. Grants will be made directly to prosecutors in 13 major cities across the country.

New projects funded in FY 1983 include:

Delinquency prevention and runaway children.—Covenant House of New York will provide crisis care services to runaway and homeless youth through two new emergency crisis intervention centers.

Project helping hand.—This will continue the development of the successful "Wing Spread" diversion program operating in California. The purpose of this project is to provide jobs, in business and industry, to delinquent youth.

Private sector corrections.—We are presently in the midst of a competitive process which will culminate in the funding of several new, privately-run, alternative correctional facilities for serious juvenile offenders. The projects will be intensively evaluated to determine their success with such offenders, and to determine their cost effectiveness.

A number of programs also have been continued in 1983. Project New Pride provides comprehensive community-based treatment for serious offenders. It reduces recidivism, increases school and social achievement, and provides employment opportunities. Four projects have received a final year of funding, to allow refinement of program models prior to development of a marketing plan. New Pride included 9[illegible]6 participants as of February, 1983, who averaged 7.8 prior offenses, 4.6 of them sustained by the time of their admission to the program. Nearly half were school dropouts.

The Pacific Institute for Research and Evaluation, the program evaluators, found that New Pride participants were responsible for 25% less crime than a similar group. Over 70% now attend school, and unexcused absences were reduced by half.

The Violent Juvenile Offender Program is a major research and development effort with two parts: Part I tests a specific intervention approach for the treatment and reintegration of adjudicated violent juvenile offenders. Phase II tests the capability of neighborhood organizations to reduce violent and serious juvenile crime. While it is too early to have definitive program results, Part I juveniles have begun to show significant educational achievement and social adjustment compared to their counterparts in the control group. Part II projects are now under way and are gathering data for establishing program priorities and developing crime prevention action plans.

Restitution by Juvenile Offenders also will be continued, with training and technical assistance provided to practitioners wishing to establish or improve a restitution program.

One Alternative Education project received funding this year, and in 1983, Special Emphasis Division funds were used to continue the Close-Up project.

NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

During FY 1983, the Institute supported 23 training projects carried out by specialized public and private organizations and institutions concerned with improving juvenile justice. Approximately 2,500 juvenile court judges and other court-related management personnel as well as juvenile service professionals, educators, administrators of juvenile correctional institutions and community-based alternative programs, law enforcement personnel, and people associated with employment and family counseling programs participated in the training.

More than $2,000,000 was awarded to eight information collection/dissemination projects. The National Criminal Justice Reference Service responded to approximately 3,500 written and oral information requests from researchers, judges, legislators, and others involved in the criminal justice field. While the focus is on improving the operations of the juvenile justice system through the provision of training and information dissemination, emphasis also was placed on training and informing juvenile justice professionals in the habitual serious and violent juvenile offender problem. The wide range of training and information dissemination efforts supported by the Office has become nationally recognized and has had great influence upon the juvenile justice community.

Ten regional seminars held across the country provided training to approximately 300 correctional administrators, judges, and court personnel in the judicial, legislative, and administrative application of standards. In addition, support was given to develop model policies and procedures for the operation of juvenile detention facilities.

Analysis of the national Uniform Crime Reports and National Crime Survey data show that juvenile involvement in serious crime has stabilized and slightly declined since the mid-1970's. There is some evidence, however, that it has increased in freqeuncy and seriousness in some urban areas.

Recent research sponsored by the Institute indicates that relatively few juvenile offenders continue criminal behavior as adults, although the more serious their crimes, the more likely they are to continue their criminal careers as adults. However, research also has confirmed that a small number of these youths do become habitual offenders—career criminals—who are responsible for the majority of serious and violent crimes through late teenage years and early adulthood. This knowledge dictated a policy of focusing a large share of office and Institute resources on finding effective ways of dealing with this population. A variety of programs for these youths are being developed and tested. These include more intensive prosecution, better crime analysis on this part of law enforcement, comphensive diagnostic assessment, continuous case management, a system of graduated sanctions, from secure custody to intensive supervision in the community, and intensively supervised reintegration. Restitution, one type of sanction, continues to have as much support from professionals, the research community, and the public, as any other type of sanction.

REAUTHORIZATION

As you know, Mr. Chairman, the Administration does not support reauthorization of Title II of the JJDP Act. Those functions of the office which have proven to be worthwhile and successful would be carried forth instead by the proposed Office of Justice Assistance. Other functions of the JJDP Act have been adequately tested, we believe, to indicate whether they either work or do not; those activities that have demonstrated their effectiveness can be continued and funded by state and local governments, if the so desire. Other functions of the office which have proven to be counterproductive should no longer be funded by federal government. In all cases, we believe that the programs of the sort required by JJDP Act should not be mandated to the states.

DEINSTITUTIONALIZATION OF STATUS OFFENDERS

One of the primary purposes of the Act was to deinstitutionalize status offenders (those juveniles whose offenses would not be offenses were they adults), diverting them from the judicial system and out of secure detention facilities and into community-based, non-judicial settings. Deinstitutionalization of status offenders has largely been accomplished as a result of the JJDP Act, at least to the extent that juvenile status offenders are now only rarely held in secure detention facilities. The effects of deinstitutionalization, as I will indicate later in my testimony, are not as positive.

Forty-six states and the District of Columbia now particiapte in the JJDP Act by, among other things, deinstitutionalizing their status offenders in order to get JJDP Act money, in accordance with Section 223(a)(12) (A) and (B) of the Act. Each of these states has submitted a plan and submits annual reports to my office containing a review of its progress made to achieve deinstitutionalization. The other four states, North Dakota, South Dakota, Wyoming, and Nevada, indicate at the present time no desire to participate in the Act.

We believe that the states which now participate in the program will continue to deinstitutionalize without the federal government's money, and will be able to do so more successfully without the unyielding and strict requirements of federal law. Each states has a different set of circumstances and, without the need to comply with federal mandates, will be able to adjust its programs to meet its own local problems and conditions. Since the funds OJJDP provides to states are insufficient to cover the full cost of deinstitutionalization, the individual states must have shown a commitment to deinstitutionalize status offenders in order to participate in the program. More than federal money, in other words, was required for the states to join the program; with the relatively small amount of OJJDP money going to each state, there is no reason to believe that the states will now retreat from their commitment, with the exception of perhaps amending the statutes to more nearly conform to local conditions.

The JJDP Act also provides that in order to participate in the program, delinquent juveniles shall not be held in institutions in which they have regular contact with adults. Section 223(a)(13). Those states participating in the program have made sufficient progress under this section to deem these separation requirements an almost total success.

In 1980, the JJDP Act was amended to mandate that, beginning in 1985, no state participating in the program may detain juveniles in jails or lock-ups for adults. Section 223(a)(14). Because this mandate is not fully in place, it is not possible to report precisely what each state has done. However, OJJDP, through its state representatives, does monitor the states' progress and is generally aware of whether each state would be able to be in compliance by 1985 in the event the Act were reauthorized. See Appendices A and B for a summary of states' compliance with Section 223(a) (12), (13) and (14).

Again, because of the relatively small amount of federal money involved, the states are not undertaking the jail removal requirements *because* of federal money, but because they believe it is the right thing to do. Those that have adopted the philosophy of the Act will continue this mandate without the federal government telling them to do so; those which cannot, or do not wish to, carry out this mandate may cease participation in the program. We believe that the states will be able to perform these functions better, in fact, without the federal mandates, because the state legislatures will be able to respond more creatively to their own individual problems.

IMPACT OF DEINSTITUTIONALIZATION

Because the Act places such emphasis on deinstitutionalization, and because one of the purposes of the mandate, when the statute was passed was to reduce criminality among juveniles, it is worthwhile to examine the impact deinstitutionalization has had on recidivism.

We have done so by commissioning a study, done by the American Justice Institue, which reviews virtually all existing empirical studies on deinstitutionalization. These independent findings are startling. They show that comparisons of deinstitutionalized status offenders and non-deinstitutionalized status offenders generally show no differences in recidivism. Of the fourteen programs in which recidivism rates could be compared, no differences were found in eight, in three, the deinstitutionalized status offenders did better, and in three, they did worse.

Further, although commitment of status offenders to public correctional institutions has declined since the beginning of the federal effort in 1974, it has not been ended, and there has been a substantial increase in commitments to private correctional institutions.

We have found that both of the major strategies for reducing or eliminating the secure confinement of status offenders (developing alternative programs or issuing absolute prohibitions against confinement) produced unintended side effects. Many jurisdictions that developed alternatives without prohibiting confinement experienced "net widening" effects in which the alternative programs were used mainly for juveniles who previously had been handled on a informal basis and the status offenders who previously had been detained continued to be held in secure facilities. Additionally, the absolute prohibitions against confinement produced changes in the use of discretion (popularly termed "relabeling") which resulted in many of the cases that previously might have been treated as status offenses being handled as minor offenses. Worse, in some of the jurisdictions which prohibited confinement, we have found that law enforcement officers and the agencies responsible for delivery of services on a voluntary basis simply were not dealing with these youths at all and that those most in need of services were not receiving them.

What has been the impact of the removal of services, and the removal of the ability of local jurisdictions to hold certain status offenders in secure facilities? Although hard data is scanty and difficult to find, in a least one area it appears the Act may have done more harm than good. That area involves runaways—one of the most frequently committed of the status offenses.

The effect of the JJDP Act on runaway youth has been to effectively emancipate them, or to allow those who would leave home a free hand. It has inhibited, for all intents and purposes, the law enforcement system from dealing with and attempting to control runaway youth—a law enforcement system which may have had some faults, but also provides troubled youth with services and assistance.

In many jurisdictions, deinstitutionalization has encouraged and even forced authorities to neglect runaway and homeless children. In this country's toughest urban centers, deinstitutionalization has meant, not transferring youths from reform schools to caring environments, but releasing them to the exploitation of the street.

The 1974 Act and its amendments make it virtually impossible for state and local authorities to detain status offenders in secure facilities for more than a few days, or in some instances, hours. In the case of runaways, that prohibition is too extreme. In some situations, secure settings—not jails—are necessary to protect these children from an environment thay cannot control and often are unable to resist. The costs of such a policy to those children—and to society generally—are too great to continue.

A study recently conducted in Florida on runways concluded that of those children who stay away from home for more than two weeks, 75% will be supporting themselves within that two week period, by theft, drugs, prostitution, and pornography—in other words, by crime. Many are arrested and enter the judicial system no longer as status offenders, but as criminal offenders—often for crimes that they were virtually forced to commit in order to survive. In many cases by providing services to them at an early stage, the law enforcement system could help these children return home, thereby preventing subsequent criminality.

By no means do all runaway or homeless children need closed programs. We fully endorse the views of such experts as Father Bruce Ritter who runs the Covenant House in New York City, who believe that those children living on the street most likely to be helped are those who recognize they need help and who turn to and remain at voluntary facilities.

But what do we do for the thirteen year old runaway girl, living on the street, selling her body, who is repeatedly returned to her parents or a voluntary foster setting, and who repeatedly runs back to the street? In some cases, according to many experts who have dealt with the problem at first hand, the only answer is being able to use secure confinement, again not for punishment, but for treatment. As Father Ritter who has probably had more experience with runaway children than virtually anyone else in the country, says:

"A thirteen year old girl is pimp bait. She'll be lucky if she survives to her fifteenth year. If she does survive to her fifteenth year, she'll be no good to anyone, including herself. I don't think you can let a fifteen year old girl wander loose and I don't think the state has the right to say 'we're going to wash our hands'. . . .

"Sometimes kids are so out of control and incapable of making an informed, mature decision in their best interest that adults have to make that decision for them. It is criminal not to. But once you make that decision to place a child in a closed program, you have got to make the equally difficult decision to make sure it is a good one."

The 1974 Act and its amendments erred by specifying too strictly the ways in which state and local authorities could handle the status offender program. By imposing the same standards in every state, we may have helped the states begin the process of deinstitutionalizing, but in a manner sufficiently unyielding as to make matters worse. By now lifting federal restrictions, we believe that state law will be adjusted to meet the specific problems of each state, but without returning to the old system of jailing status offenders.

DELINQUENCY PREVENTION

OJJDP has, in the past years, directed a considerable amount of its resources to delinquency prevention. Delinquency prevention is a process that involves schools, families, communities, neighborhoods, churches, and community-based organizations—areas where it is difficult for the Department of Justice in particular, and the federal government generally, to make a difference. Delinquency prevention is made up of those things which are good for youth in general—things which the federal government will do in any case, under names other than delinquency prevention. Accordingly, we find more than thirty different bureaus and offices in the federal government which engage in, as they are broadly defined, delinquency prevention activities with expenditures of billions of dollars.

The delinquency prevention programs OJJDP has supported in the past have done little to prevent delinquency. In a major evaluation of the Office's delinquency prevention activity, the National Council on Crime and Delinquency, in The National Evaluation of Delinquency Prevention: Final Report (1981), came to this discouraging conclusion after looking at over sixty different programs that the Office had funded:

"Data from this national study together with past research suggest that the idea of preventing delinquency remains excessively ambitious if not pretentious. There is a large gap between policy makers' hopes and what can be accomplished by prevention programs funded under this broad notion. As yet, social scientists have not isolated the causes of juvenile delinquency, but even if they were known it is not obvious that anything could be done about them. Many writers would agree that delinquency is generally associated with the growth of industrialism and social trends (e.g., proverty and racism) of such scope and complexity that they cannot easily be sorted out and remedied. . . . Given this perspective on delinquency it becomes fruitless or even naive to believe that highly generalized and often unclear directives to introduce prevention programs into heterogeneous target areas can curtail delinquency."

We believe that federal delinquency prevention programs based on social service activities should be housed in departments other than the Department of Justice, such as the Department of Health and Human Services, the Department of Education, the Department of Housing and Urban Development, and the ACTION agency. Those aspects of juvenile delinquency appropriately addressed by the criminal justice system, and therefore suited to the Department of Justice, should be funded through the Office of Justice Assistance.

SERIOUS JUVENILE CRIME

Juveniles commit some 35% of all serious crime in the United States, and some 20% of all violent crime. Although the percentage is slightly lower than it was ten years ago, arrest rates for juveniles, as a percentage of the juvenile population, remains about the same.

Juvenile crime is, and is increasingly treated by the states as, a criminal justice issue. Accordingly, programs to assist juvenile courts, as well as criminal courts, in dealing with the issue of juvenile crime could be more efficiently sponsored through the Office of Justice Assistance, as part of its consolidated criminal justice assistance responsibilities, than through a separate office which deals only with juveniles.

Most serious and chronic juvenile offenders go on to become adult criminals, and most adult chronic offenders were offenders when they were juveniles. The states now test chronic offenders, whether they be juveniles or adults, in a similar manner much more than heretofore. The result is that such offenders are increasingly in the same law enforcement system, the same court system, and even the same correctional system. Having a separate juvenile justice office within the Department of Justice to address only those parts of the system which deals with juveniles is an artificial distinction which often duplicates services that are provided by other offices within the Department and forces the Department to act in a less efficient manner than it otherwise might.

Some may argue that it is wrong for the states to treat juvenile offenders as adults. We believe that is an argument which should be made and resolved in the state legislatures. Each state is different; each state has a different set of problems, different statutes, and different legislatures and constituencies which see things in different ways. We believe that the genius of the federal system is reflected by the states' ability to be able to handle their problems in their own way. The development and implementations of criminal justice policy, outside of the federal system, is one of those state prerogatives which may be assisted by the federal government but without federal interference. Assistance which is rendered by the federal government, such as by the Office of Justice Assistance, can be beneficial, but should be done without specific mandates and without the imposition of requirements that state laws be changed.

In conclusion, we do not dispute that OJJDP has done many good things during existence, and recognize that it continues to fund many excellent programs. Nevertheless, we do not believe its programs warrant continuation of a separate office and the expenditure of $70 million, particularly in times of restricted federal budgets. OJJDP, for all of its good programs, has had little impact on crime. OJJDP has brought a new awareness to the world of juvenile justice, but that new awareness should now be carried forth in state and local governments, in the communities, volunteer groups, and neighborhoods throughout the country.

Thank you, Mr. Chairman, I will be pleased to respond to any questions you or members of the Subcommittee may have.

Appendix A

Summary of Compliance with Section 223 (a) (12), (13), and (14) of the Juvenile Justice and Delinquency Prevention Act

There are 57 states and territories eligible to participate in the Juvenile Justice and Delinquency Prevention Formula Grant Program. Currently 53 are participating; the four not participating are Nevada, North Dakota, South Dakota, and Wyoming. According to the most recently submitted and reviewed State Monitoring Report, the following is a summary of compliance with Section 223 (a) (12), (13), and (14).

SECTION 223 (a) (12) (A)

Deinstitutionalization of Status Offenders and Non-Offenders

A. Of the 53 participating states, 47 have participated for five or more years and are thus required to achieve full compliance with Section 223 (a) (12) (A) of the Act to maintain eligibility for FY 84 Formula Grant funds. Of these 47 states, a determination has been made that the following 44 states and territories are in full compliance pursuant to the policy and criteria for full compliance with de minimis exceptions.

Alabama
Alaska
American Samoa
Arizona
Arkansas
California
Colorado
Connecticut
Delaware
District of Columbia
Florida
Georgia
Guam
Illinois
Indiana
Iowa
Kansas
Kentucky
Louisiana
Maine
Maryland
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Montana
New Hampshire
New Jersey
New Mexico
New York
Oregon
Pennsylvania
Puerto Rico
Rhode Island
South Carolina
Tennessee
Texas
Trust Territories
Vermont
Virginia
Virgin Islands
Washington
Wisconsin

Three of these 47 states have not to date been found to be in full compliance with the deinstitutionalization requirement. Those states are Hawaii, Idaho, and Ohio.

B. Of the 53 participating states, four must achieve substantial or better compliance to be eligible for FY 84 Formula Grant funds. Those states are North Carolina, Northern Marianas, Utah, and West Virginia. All four have been found in full compliance.

C. Two of the 53 participating states, Nebraska and Oklahoma, must demonstrate progress to maintain eligibility for FY 84 funds and each have done so.

SECTION 223 (a) (13)

Separation of Juveniles and Adult Offenders

There are 39 states which have demonstrated compliance with Section 223 (a) (13) of the Act. Fourteen other states have reported progress. Those 39 states which have been found in compliance with the separation requirements are:

Alabama
American Samoa
Arizona
Arkansas
Connecticut
Delaware
District of Columbia
Florida
Georgia
Guam
Hawaii
Illinois
Iowa
Kansas
Louisiana
Maine
Maryland
Massachusetts
Michigan
Minnesota
Nebraska
New Hampshire
New Jersey
New Mexico
New York
North Carolina
Northern Marianas
Ohio
Pennsylvania
Puerto Rico
Rhode Island
South Carolina
Texas
Utah
Vermont
Virginia
Virgin Islands
Washington
Wisconsin

The 14 states reporting progress are:

Alaska
California
Colorado
Kentucky
Idaho
Indiana
Mississippi
Missouri
Montana
Oklahoma
Oregon
Tennessee
Trust Territories
West Virginia

SECTION 223 (a) (14)

Removal of Juveniles from Adult Jails and Lockups

All participating states and territories must demonstrate full compliance or substantial compliance (i.e., 75% reduction) with the jail removal requirement by December 1985. Eligibility for FY 1984 Formula Grant funds is not dependent upon the states' level of compliance with the jail removal requirement of Section 223(a)(14). Refer to "Appendix B" (attached) for information on the number of juveniles held in adult jails and lockups.

APPENDIX B

The summary of state participation in the Juvenile Justice and Delinquency Prevention (JJDP) Act and compliance with the deinstitutionalization and separation requirements of Sections 223 (a) (12) and (13) of the Act is based upon the 1982 monitoring reports which determined states' eligibility for FY 1984 formula funds (10/1/83 - 9/30/84).

Attached are two fact sheets showing the number of status offenders and non-offenders held in secure detention and correctional facilities and the number of juveniles held in regular contact with incarcerated adult persons. The data presented represents a twelve-month period and was actual data for some states and projected to cover a twelve-month period for other states. All current data is that provided as "current data" in the 1982 monitoring reports. The baseline data for the number of status offenders and non-offenders held in secure detention and correctional facilities is that provided as "baseline data" in the 1979 reports. The baseline data for the number of juveniles held in regular contact with adult offenders is that provided as "baseline data" in the 1981 reports. Only participating states are included in the figures. A fact sheet showing the number of juveniles held in jails and lock-ups is attached. However, this data is not projected to cover a twelve-month period.

The nationwide baseline data for the number of status offenders and non-offenders held in secure detention and correctional facilities was determined to be 199,341. The nationwide current data showed 22,833 status offenders and non-offenders held in secure detention and correctional facilities. Thus, by comparing baseline and current data, the number of status offenders and non-offenders held in secure facilities has been reduced by 88.5% over the past 5 to 7 years. According to the 1980 census, approximately 62,132,000 juveniles under the age of eighteen reside in the participating states. Thus, the number of status offenders and non-offenders currently held computes to a national ratio of 36.7 status offenders and non-offenders securely held per 100,000 juvenile population under age 18. This national ratio is in excess of the maximum rate which an individual state must achieve to be eligible for a finding of full compliance with the deinstitutionalization requirements of Section 223 (a) (12) (A) of the JJDP Act, pursuant to OJJDP's policy and criteria for de minimis exceptions to full compliance. It should also be noted that these figures do not include those status offenders and non-offenders held less than 24 hours during weekdays and those held up to an additional 48 hours (i.e., a maximum of 72 total hours) over the weekend.

The number of juveniles held in regular contact with incarcerated adults has reduced from 97,847 to 27,552. This computes to a 71.8% reduction over approximately a five-year period.

Based upon the number of status offenders and non-offenders currently held in secure facilities, which is a 88.5% reduction in the number held five or more years ago, and based upon the fact that 48 states and territories have been found in full compliance with de minimis exceptions, it is evident that substantial progress has been made in attaining the deinstitutionalization objective of the Act. However, considering, as stated above, that status offenders held less than 24 hours are not included and considering that states can securely hold status offenders at a level acceptable for a finding of full compliance pursuant to the de minimis policy, it is also evident that the deinstitutionalization objectives have not been fully met. It is also noted that OJJDP determines compliance a statewide aggregate data, thus cities, counties, regions or districts may not have achieved local compliance in their efforts to deinstitutionalize.

JJDP Act legislation does not require states to be in either substantial or full compliance to be eligible for FY '84 dollars. The attached fact sheet on Section 223 (a) (14) shows progress being made at the national level but not necessarily at the state level. Based upon individual state reporting periods varying from one month to twelve months, there appears to be an overall 18.9% reduction in the number of juveniles held in adult jails and lock-ups. This data does not include those juveniles who are waivered or those for which criminal charges have been filed in a court having criminal jurisdiction. This data, also does not include those juveniles held in adult jails or lock-ups for less than six hours.

Attachments: I, II, III

7.

SECTION 223(a)(12)

Number of Status Offenders and Non-Offenders Held in Secure Facilities*

	Baseline*B	Current*C
LABAMA	4,836	412
LASKA	485	14
RIZONA	4,410	632
RKANSAS	3,702	0
ALIFORNIA	34,216	238
OLORADO	6,123	370
ONNECTICUT	699	0
ELAWARE	374	2
IST. OF COLUMBIA	178	4
LORIDA	9,188	22
EORGIA	4,047	432
AWAII	681	629
DAHO	4,188	1,272
LLINOIS	5,391	136
NDIANA	7,494	438
OWA	1,204	8
ANSAS	3,826	576
ENTUCKY	4,849	1,104
OUISIANA	3,179	111
AINE	41	0
ARYLAND	857	4
ASSACHUSETTS	37	0
ICHIGAN	14,344	35
INNESOTA	6,309	7
ISSISSIPPI	1,170	244
ISSOURI	4,786	366
ONTANA	1,224	85
EBRASKA	546*D	624
EVADA	Not Participating	
EW HAMPSHIRE	200	0
EW JERSEY	217	29
EW MEXICO	2,376	48
EW YORK	7,933	2
ORTH CAROLINA	2,678	580
ORTH DAKOTA	Not Participating	
HIO	16,552	3,099
KLAHOMA	No data required	
REGON	4,110	71
ENNSYLVANIA	3,634	45
HODE ISLAND	1,572	17
OUTH CAROLINA	1,568	184
OUTH DAKOTA	Not Participating	
ENNESSEE	4,078	2,940
EXAS	4,722	976
TAH	2,448	689
ERMONT	218	36
IRGINIA	6,558	328
ASHINGTON	9,600	0
EST VIRGINIA	627	7
ISCONSIN	2,847	136
YOMING	Not Participating	
UERTO RICO	961	0
MERICAN SAMOA	4	0
UAM	228	39
RUST TERRITORIES	0	0
IRGIN ISLANDS	178	0
N. MARIANAS	0	0

TOTALS

Baseline	Current
199,341	22,833

*A - All Data is 12 month actual or projected to cover a 12 month period

*B - Baseline data is that provided as baseline data in 1979 report.

*C - Current data is that provided as current data in 1982 report.

*D - Nebraska baseline data is that provided as baseline data in 1981 report.

39

SECTION 223(a)(13)

Number of Juveniles Held in Regular Contact With Adults*A

II

	Baseline*B	Current*B
ALABAMA	3,300	1,104
ALASKA	824	349
ARIZONA	25	0
ARKANSAS	8,724	36
CALIFORNIA	3,041	2,612
COLORADO	4,750	1,537
CONNECTICUT	3	2
DELAWARE	0	0
DIST. OF COLUMBIA	0	0
FLORIDA	1,996	104
GEORGIA	1,769	10
HAWAII	1	0
IDAHO	2,011	?
ILLINOIS	777	3
INDIANA	8,580	235
IOWA	1,993	194
KANSAS	1,716	168
KENTUCKY	5,702	5,874
LOUISIANA	3,523	180
MAINE	1,186	0
MARYLAND	229	0
MASSACHUSETTS	0	0
MICHIGAN	0	0
MINNESOTA	3	0
MISSISSIPPI	2,280	108
MISSOURI	3,278	348
MONTANA	1,878	213
NEBRASKA	0	0
NEVADA	Not Participating	
NEW HAMPSHIRE	74	0
NEW JERSEY	42	17
NEW MEXICO	6,696	0
NEW YORK	27	0
NORTH CAROLINA	0	0
NORTH DAKOTA	Not Participating	
OHIO	5,751	480
OKLAHOMA	Not Participating	
OREGON	1,798	10
PENNSYLVANIA	3,196*C	14*C
RHODE ISLAND	176	0
SOUTH CAROLINA	3,984	0
SOUTH DAKOTA	Not Participating	
TENNESSEE	7,574	9,806
TEXAS	370	0
UTAH	22	449
VERMONT	0	12
VIRGINIA	5,624	0
WASHINGTON	2,088	0
WEST VIRGINIA	940	12
WISCONSIN	1,857	0
WYOMING	Not Participating	
PUERTO RICO	3	0
AMERICAN SAMOA	0	0
GUAM	0	0
TRUST TERRITORIES	3	2
VIRGIN ISLANDS	13	0
NO. MARIANAS	20	0

TOTALS

Baseline	Current
97,847	27,552

*A - All data is 12 month actu
or projected to cover a
12 month period.

*B - Baseline and Current data
is that provided as baseli
and current in 1982 report

*C - Pennsylvania data is that
provided in 1980 report.

STATUS OF STATES RE: 223(a)(14) Carl W. Hamm, Chief, FG's 2/22/84 III

	YR.	Baseline Period	Current Period	VIOLOLATIONS Baseline	Current	Per Cent
ABAMA	82	1/82 - 3/82	1/83 - 3/83	295	198	22.8%
ASKA	83	1/76 - 12/76	1/81 - 12/81	864	787	9 %
IZONA	82	1/82 - 8/82	1/82 - 8/82	29	29	0 %
KANSAS	83	8/82	8/83			
LIFORNIA	82	7/81 - 6/82	1/82 - 12/82	4365	5552	No Progress
OLORADO	83	1/80 - 12/80	1/82 - 12/82	6112	2070	66 %
NNECTICUT	83	7/81 - 6/82	7/82 - 6/83	0	0	In Compliance
LAWARE	83	12/81 - 9/82	12/82 - 12/83	0	0	In Compliance
ST. OF COLUMBIA		1/75 - 12/75	1/83 - 12/83	0	0	In Compliance
ORIDA	83	1/82 - 12/82	7/82 - 6/83	117	45	61.5%
ORGIA	82	9/81 - 8/82	9/81 - 8/81	130	130	0 %
WAII	83	10/82 - 10/83	10/82 - 10/83	0	0	Questionable
AHO	82		No Date Now			
LINOIS	82	4/80 - 6/80	4/82 - 6/82	618	399	35%
DIANA	82	-	7/82 - 9/82	-	1,782	?
WA	82	7/81 - 6/82	7/81 - 6/82	1886	1886	0
NSAS	83	2/83	2/83	101	101	0%
NTUCKY	82	1/82 - 6/82	1/82 - 6/82	509	509	0%
UISIANA	83	9/80 - 8/81	9/82 - 8/83	336	154	54.17%
AINE	83	1983	1983	0	0	In Compliance
ARYLAND	82	1/75 - 12/75	1/82 - 12/82	229	0	In Compliance
ASSACHUSETTS	83			0	0	In Compliance
CHIGAN	82	1/82 - 12/82	1/82 - 12/82	23	23	0
NNESOTA	82	1/81 - 12/81	1/82 - 12/82	1639	533	67%
SSISSIPPI	83	7/83 - 12/83	7/83 - 12/83	167	167	0%
SSOURI	82	1/82 - 12/82	1/82 - 12/82	768	768	0%
ONTANA	82	1/80 - 12/80	1/81 - 12/81	934	760	18%
EBRASKA	83	1/80 - 12/80	1/82 - 12/82	3566	2804	21%
EVADA	NP					
EW HAMPSHIRE	83	10/81 - 11/82	10/82 - 9/83	0	0	In Compliance
EW JERSEY	83	1/82 - 12/82	1/83 - 12/83	0	0	In Compliance
EW MEXICO	82	8/75	2/57 - 8/82		2015	N/A
EW YORK	82	1/75 - 12/75	1/82 - 11/82	?	0	In Compliance
ORTH CAROLINA	83	8/82 - 10/82	8/83 - 10/83	266	132	50.04%
ORTH DAKOTA	—					
HIO	82	1/82 - 12/82	1/83 - 12/83	3741	2657	29%
KLAHOMA		- Not Required -				
REGON		1/75 - 12/75	10/82 - 9/83	1618	10	99%
ENNSYLVANIA	82	No Information available (exempt)				
HODE ISLAND	82	7/75 - 6/76	12/81 - 11/82	0	0	In Compliance
OUTH CAROLINA	83	1/82 - 9/82	1/83 - 9/83	1303	1232	5.4%
OUTH DAKOTA	NP					
ENNESSEE	82	1/82 - 6/82	1/82 - 6/82	1854	1854	0%
EXAS	83	Data Not Available				
TAH	83		1/83 - 12/83		64	0%
ERMONT	82	7/76	7/82	0	0	In Compliance
IRGINIA	83	7/79 - 6/80	7/82 - 6/83	3578	2075	42%
ASHINGTON	83	1/83 - 6/83	1/83 - 6/83	237	237	0%
EST VIRGINIA	83	1/80 - 12/80	1/82 - 12/83	189	78	39%
SCONSIN	82	1/80 - 12/80	1/82 - 12/82	3741	2657	29%
YOMING	NP					
UERTO RICO	83	12/81 - 12/82	12/82 - 12/83	38	11	71%
AMERICAN SAMOA	83	1/81 -12/81	1/82 - 12/82	0	0	In Compliance
UAM	83	9/81 - 9/82	9/82 - 9/83	0	0	In Compliance
TRUST TERRITORIES	83	Not available		351	351	0%
VIRGIN ISLANDS	82	7/81 - 12/81	1/82 - 12/82	0	0	In Compliance
			[illegible]		19	In Complete

STATEMENT OF ALFRED S. REGNERY, ADMINISTRATOR, ACCOMPANIED BY JAMES M. WOOTTON, DEPUTY ADMINISTRATOR, AND TERRENCE DONAHUE, ASSISTANT DEPUTY ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Mr. REGNERY. Thank you very much, Mr. Chairman.

I do have a number of people from my staff here. Sitting with me at the table is Jim Wootton, who is the Deputy Administrator of the Office. In the event that you want to ask some other specific questions, I have other people here who might be able to answer some of those better than I.

I must tell you, first of all, Mr. Chairman, I have really been looking forward to coming up here to testify before you today. I am certainly very pleased that you invited me on behalf of the administration to appear.

Sitting next to me, incidentally, on the other side, is Terry Donahue, who is Assistant Deputy Administrator.

I am pleased to present on behalf of the Department of Justice information regarding the activities of the Office of Juvenile Justice and Delinquency Prevention, and to present the Department's views concerning proposals to reauthorize the Juvenile Justice and Delinquency Prevention Act.

As you know, OJJDP provides assistance to States and localities for juvenile justice activities in three ways: formula grants to the States, special emphasis funds to public and private agencies, and the dissemination of information and training resources of the National Institute for Juvenile Justice and Delinquency Prevention.

Mr. Chairman, as Governor Robb pointed out, 46 States do participate in our program. During 1983, we provided $42 million to those States to carry out the major goals of the Act, which are, of course, deinstitutionalization of status offenders, separation of adults and juveniles in jails, and removal of juveniles from jails.

In addition to that, the 1980 amendments included language regarding serious juvenile offenders, and the regulations encourage the States to spend up to 30 percent of their funds on serious juvenile offenders. As far as we know, many of the States do spend that much, and other States do not.

In the area of deinstitutionalization, there are presently 51 States and territories that are in full compliance, and 34 States are in compliance on separation. I will discuss that further later in my testimony.

During 1983, our technical assistance division assisted the States in meeting the mandates of the act. In the course of 250 different assignments, they provided more than 1,200 work hours to State and local governments to help them carry out the mandates.

There are a number of new special emphasis programs that I would like to describe briefly before we get into the reauthorization section of my testimony. This may give you some understanding of what we have been doing.

We are presently running a competitive program that we are calling the Habitual Serious Offender Program, which will provide up to $300,000 to 13 different district attorneys' offices across the country in major cities to deal with the problem of chronic and serious offenders. As I say, that is a competitive program, and the competition has just been completed. We have picked the 13 cities that will be getting those grants. We are now working on the grants themselves.

We are running another competitive program involving private sector corrections that will encourage and provide funds for up to four different organizations in four different places to commence new alternative correctional facilities which will be run by the private sector. We will evaluate each facility very carefully to try to determine whether or not such facilities actually do a better job in rehabilitating youthful offenders than the traditional correctional facilities.

We continued the New Pride Program during 1983; and the Violent Juvenile Offender Program, parts I and II, which is a major project that we are doing on juvenile offenders, that was started before I came to the office and has been continued. Funds have been provided to all of those sites.

We are continuing with a restitution project, which will be competitive. The competition is about to be published in the Federal Register. It will train over 800 county executives and county officials in restitution programs for juvenile offenders.

We have placed considerable emphasis and resources in the area of child abuse, sexual abuse, runaways, murdered children, and the delinquency of the abused. Those are a number of related topics that we find are of very pressing concern these days, and we have started a number of different projects to try to deal with those problems.

First, there is a project we are doing at Sam Houston State University in Texas, together with the National Institute of Justice, that is a planning process to develop a system to assist law enforcement in dealing with missing children and abused children, particularly those who are preyed upon by serial offenders.

We have funded, both in 1983 and again in 1984, the Covenant House Project in New York, and Houston, and other cities. This is a private sector runaway program which is very effective.

A number of other programs which we are in the process of putting together include a project where we will assist the juvenile courts in using lay volunteers as guardian ad litums to represent the interests of abused and neglected children, continuation of the Violent Criminal Apprehension Program that I just described, and considerable research in the area of child abuse, pornography, foster care, and a number of other things, and how they all relate to juvenile justice.

Mr. Chairman, during 1983, our training division carried forth 23 training projects in which they trained over 2,500 participants from the juvenile justice system, law enforcement, and a variety of other people. The collection and dissemination function of our office with funds of over $2 million, responded to some 3,500 requests from the public for information regarding juvenile justice which we were able to provide.

In the area of research, we continue to try to learn what we can about juvenile delinquency, its causes and its effects and its impacts, and what we can do about it. We find that juvenile crime has stabilized since the late 1970's, and that although the crime rate overall has gone down and juvenile crime as a proportion of overall crime has been reduced somewhat, according to the UCR reports, the per capita offense rate among juveniles remains about the same; that is, the number of juvenile per 100,000 who commit offenses.

We are also finding, though, that the problems continue among chronic offenders and that, of course, a majority of juvenile crime is committed by a relatively small group of people. But we are finding as we look further into it that those chronic offenders are more active than they were 10 years ago, and they are also more violent.

We are continuing to try to find out why with a variety of different projects and how to deal with it. We are testing programs and evaluating them to determine what kind of programs work the best.

Generally, our policy regarding research is that whatever information and knowledge we have, wherever we find it, it will be beneficial to the community. We certainly are not trying to protect any ideology or any segment of the juvenile justice community, but, by the same token, we are trying to provide what information we can to them to make the whole system function better. From the response we have gotten generally from the community, I believe we are doing that.

Additionally, we are trying to do what we can to get the juvenile justice and the criminal justice systems to work more closely together, and with other parts of the system, including law enforcement, and other parts of it, since they are such an integrated system—they should be, anyway—to deal with this overall problem. We feel that whatever we can do to make them work better together would be helpful.

In the area of reauthorization, Mr. Chairman, the administration does not support reauthorization of Title II of the Act. We do support Title III of H.R. 4971, that is the Missing Children segment, although I am not, unfortunately, prepared to testify totally on your bill since it was introduced, I think, on Thursday. As you know, it is a rather cumbersome process in the Federal Government of approving testimony, and I was not able to redraw my testimony and get it approved by OMB, and so on. As we go forth, I would be happy to try to respond to specific questions regarding your bill. I would be happy to come back and testify on it again or, in addition to that, my staff and your staff, I am sure, can work together and address specific issues.

Mr. ANDREWS. Unfortunately, we assume that will be necessary.

Mr. REGNERY. Let me proceed, in any case, with the general issue of reauthorization.

As I say, the administration does not support reauthorization of Title II. We believe that many parts of the Act that have been successful are now in a position to be carried forth by the States. We believe that the proposed office of Justice Assistance, which is in a state of flux—I guess that might be the best word—in the legislative process at the present time, will be in a position to carry forth many of the programs that my office does carry out now. We believe that if there is one place where these can be done together, it will provide a more efficient system by the Federal Government and will also improve the ability of the Federal Government to work both within the juvenile and within the criminal justice system together to a greater extent than it does now.

We take the position, Mr. Chairman, that the Juvenile Justice Act has been successful in what it set out to do, particularly. Since as I mentioned earlier, 46 States now participate in the program. In the area of deinstitutionalization of status offenders, those 46 States are in compliance. There are 88 percent fewer status offenders now held in secure confinement than there were when the Act was passed in 1974.

We believe that the States have made a very serious commitment to carry forth the deinstitutionalization mandate, and that they will continue to do that without specific funds from the Federal Government. That is in large measure because of the fact that deinstitutionalization certainly costs a great deal more than the Federal Government provides, and the States would not have joined the program and carried forth with that mandate had they not had that commitment. We believe that they have now seen that the program has been as successful as it has been, and it will be able to carry forth without additional funds from the Federal Government

In the area of separation, 39 States are in compliance, and another 14 States are making sufficient progress to meet the Act's requirements in separation. I believe you may be hearing more testimony on that later today from people in the field who have experienced some of the specific problems.

Again, though, we believe that the Act has been successfully carried out to a significant extent so that the Federal Government does not need to provide those funds specifically as a carrot to the States to separate juveniles and adults in jails.

In the area of removal, of course, that mandate does not yet need to be fully complied with by the States since it only becomes effective in 1985. Our monitoring process indicates the States are making significant progress in the removal area, and they will continue to do so, we believe, whether or not the Federal Government is present.

The impact of deinstitutionalization, I think, is something that is worth talking about for a few minutes because of the fact that deinstitutionalization is certainly one of the areas that was prominent in the Act's purposes.

In preparing for this hearing, among other things, we commissioned a study of the impact of deinstitutionalization on recidivism. As we looked at the legislative history of the 1974 act, and again at the 1977 and 1980 amendments, we found there was considerable discussion and that people believed that one of the purposes of deinstitutionalization would be that it would reduce recidivism. We, therefore, commissioned a study to find out whether or not that has, in fact, taken place.

That study concludes, surprisingly, that deinstitutionalization has had basically no impact on recidivism whatsoever. What the people did who did the study—and it was done by the American Justice Institute in Sacramento—was to take all of the research that had been done over the years on deinstitutionalization and look at it from the standpoint of recidivism. As they looked at each of those studies, they found there were a couple where recidivism went down. On the other hand, there were a couple where recidivism went up. There were a number of others where it appeared to make no difference. The conclusion they finally came to was that, all in all, it didn't seem to make any difference whatsoever, one way or the other, positively or negatively, in the area of recidivism, whether these children were institutionalized or not.

There were a number of other things that the study also found. One of the things was that the States have done a very good job of finding loopholes in the Act to get around the deinstitutionalization requirements but to still stay in compliance with our statute.

One of the things that has happened is a phenomenon known as relabeling, where offenders who were once arrested as status offenders are now arrested as more serious offenders, and law enforcement will hold them nevertheless in confined facilities, secure facilities—where, at one time, they would have been labeled status offenders, and now they are labeled more serious offenders. Those are cases where they may have committed several different offenses, and it is just a matter of the discretion of the law enforcement system as to what they will be charged with.

Another thing we found is that there has been a phenomenon called net widening, which means that many children who were earlier treated as status offenders are now treated as mentally ill or put in other institutions where they might not otherwise have been. Additionally, the alternative facilities that often have been set up as a response to the DSO movement are used for children who were not even status offenders, who might have been abused or neglected, and the status offenders are, for one reason or another, nevertheless held in the law enforcement system.

Additionally, we found with the study that there has been a significant drop in services to status offenders. Many of those services were actually provided by the law enforcement system at one time and, as a result of the deinstitutionalization movement, law enforcement has sort of washed its hands of the status offenders and, as a result, services that were once provided are not.

One of the particular problems that we have examined is the area of runaways, which, of course, is one of the most common of the status offenses. We find, first of all, that there are significantly more runaways than there were in 1975. I am not sure exactly how many because the numbers are really not very accurate, but there were numbers I have seen that there were some 700,000 runaways a year in 1975. I believe that was a Public Opinion Research Corp. study. Exactly how many there are now, nobody knows. The figures range from 1.2 million a year and upward.

By the same token, there are fewer teenagers than there were in 1975. What all that means, of course, is hard to say, but that is what the numbers are.

One of the things that we have found, though, is that the place runaways go, as opposed to 1975, is probably considerably worse than it was then. Primarily, that is living on the street. The phenomenon of runaways, of course, is something that HHS, I guess, will discuss further during its testimony.

But we have found as we look at the figures that, of these 1 million or more children who run away from home, most of them, of course, do come back home within a rather short period of time, 24 or 48 hours. But of those who don't, they wind up in a system that, in many cases, is much more abusive than the system that they left.

A recent Florida study, for example, cites that of those children who stay away from home for more than 2 weeks, 75 percent will be supporting themselves within that 2-week period by prostitution, pornography, theft, and drug peddling. All of those are obviously crimes, and those are things which, if we could keep those children from running away to the street in the first instance, we very likely might prevent those crimes from having happened in the first place. These children actually then come into the system as serious offenders instead of coming into the system as status offenders.

I would like to read a quote for you, just a quick quote, from a policeman in a Los Angeles Times wire story that was published on February 11 of this year. This was a juvenile officer who was talking about the impact of the California statute that was passed in response to the Juvenile Justice and Delinquency Prevention Act.

It said, "Sam, a policeman on the street: 'I care about kids. I pick up a kid on the street, a runaway. I spend 2 hours picking up that kid, finding out he is a runaway, doing the paperwork, taking him to an alternative facility. I bring him in the front door and he goes out the back door.' "

Lt. Ray Gott, who is the chief of the Los Angeles County Sheriff's Department Youth Bureau, in the same story—is emphatic on the failure of the status offenders bill. He said, "We said when we enacted the bill that we were going to deal with serious hard-core juvenile criminal offenders, but, in essence, also tell the status offenders, 'Go away, we don't want to be bothered with runaways. When you commit a crime, then come back and we will rehabilitate you. That's insanity.' "

What I am saying, Mr. Chairman, is that I think that in many cases the deinstitutionalization part of the Juvenile Justice and Delinquency Prevention Act went too far in absolutely prohibiting the use of secure facilities for runaways. I am certainly not advocating that we return to the old system. That was a system that had many abuses that had to be stopped, and it has been stopped to a significant degree. But in prohibiting the use of any kind of a secure facility for a runaway, I think we have tied the hands of law enforcement, and we have also made things sufficiently difficult for law enforcement that they don't want to get involved.

I think also that is one of the problems we hear from law enforcement officers involving runaway children; we have all heard the criticism of the law enforcement system regarding missing children—that a missing child is reported, and the first reaction of the law enforcement system is not to worry, the child is a runaway and he will come back in a couple of days, and we don't get involved with runaways anyway. And by the time the couple of days has passed and the missing child has not returned, the best evidence, of course, has disappeared, and the child may be on a path of no return.

So I think that, in any event, the deinstitutionalization part of the act has gone to such an extent by prohibiting the use of secure facilities for runaways that we have exacerbated the problem.

We certainly agree that, in most cases, voluntary help on behalf of runaways is the most successful. But in other cases, I think that voluntary help is something that is not forthcoming because of the fact that the runaway child is what might be called a chronic runaway, and voluntary help, as the policeman from Los Angeles described, is something that the child is not going to seek.

Let me read another quote for you from my testimony, which you will find fully included in the testimony, from Father Ritter, who runs the Covenant House in New York City, who probably has more experience with runaway children than anybody else in the country.

He says:

> A 13-year-old girl is pimp bait. She'll be lucky if she survives to her 15th year. If she does survive to her 15th year, she'll be no good to anyone, including herself. I don't think you can let a 15-year-old girl wander loose, and I don't think the State has the right to say "we are going to wash our hands."
>
> Sometimes kids are so out of control and incapable of making an informed, mature decision in their best interest, that adults have to make that decision for them. It is criminal not to. But once you make that decision to place a child in a closed program, you have to make the equally difficult decision to make sure it is a good one.

Mr. Chairman, I would suggest that in proceeding with the reauthorization process, this committee might want to hold a full hearing on the question that I am addressing and, in doing so, bring in people from the law enforcement system, from the runaway programs, and others who have dealt with runaways to fully address the problems that they get into and what the impact of the Juvenile Justice and Delinquency Prevention Act has been, particularly as it involves the larger cities and as it involves this problem of prostitution, of pornography, and of exploitation of these children, which apparently is so great. I think that, in having that full hearing and addressing those issues, you could do a service to America's children that would be unduplicated anywhere else.

Father Ritter goes on to say, and I would just like to read one—well, just let me point out that he claims that in many of these cases of chronic runaways, particularly with these younger children, that the only alternative is to be able to put them in a secure facility. But, as I say, in so many cases, because of our act, it is impossible to do that.

To proceed, Mr. Chairman, to the area of juvenile delinquency prevention, which is one of the things, of course, that the discretionary money of our act is used for. We have spent a great deal of money over the years on prevention, and we continue to do that, in fact. Our discretionary money is split in about half between prevention and control of juvenile crime.

But in the area of primary prevention, which is what our act addresses for the most part, we have found that the best kinds of prevention activities occur, of course, in families, churches, communities, and organizations, and so on, that exist on the local level. Those are programs that are carried out with or without the Federal Government. Our experience has been that, although the Federal Government can provide assistance to them—and it does, of course, provide a great deal of assistance to them—our mandates and our directives to them are probably less beneficial than the mandates and directives that come from the neighborhoods themselves.

There is a great deal that is done in the Federal Government in the area of delinquency prevention, far more than our total budget. Exactly what that is is difficult to say, because the things that are provided are done whether or not it is called delinquency prevention. Those are things that are good things to do for youth and children generally, and those are things that HHS and HUD and Action and a number of other Government departments do, and will continue to do whether or not we are there. In fact, as I say, they will be able to spend a great deal more money than we could possibly spend with our discretionary program.

The programs, though, that we have carried out over the years have unfortunately been of only marginal utility, I am afraid. As we look at the evaluations of the programs that were conducted, it is somewhat discouraging to us to know exactly where to proceed if you are aiming your money at delinquency prevention.

I would like to read one quote for you from the National Evaluation of Delinquency Prevention Programs that was completed by the National Council on Crime and Delinquency in 1981. After looking at over 60 programs that our office had funded in delinquency prevention, we came to this discouraging conclusion, and let me quote:

> Data from this national study, together with past research, suggest that the idea of preventing delinquency remains excessively ambitious, if not pretentious. There is a large gap between policymakers' hopes and what can be accomplished by prevention programs funded under this broad notion. As yet, social scientists have not yet isolated the causes of juvenile delinquency, but even if they were known, it is not obvious that anything could be done about them. Many writers would agree that delinquency is generally associated with the growth of industrialism and social trends, for example, poverty and racism, of such scope and complexity that they cannot easily be sorted out and remedied. Given this perspective on delinquency, it becomes fruitless, or even naive, to believe that highly generalized and often unclear directives to introduce prevention programs into heterogeneous target areas can curtail delinquency.

We believe that with my office not being reauthorized, the primary prevention programs that have been successful will be carried out by other agencies in the Government with, as I say, more money, and the secondary and tertiary prevention programs—the tertiary ones, particularly more in the area of delinquency control—can be carried out, and will be carried out, by the Office of Justice Assistance in a cohesive and coherent way that doesn't exist with the fact that the offices are divided.

In the area of serious juvenile crime, Mr. Chairman, as I pointed out, juvenile crime has somewhat stabilized. The UCR figures indicate that somewhere around a third of all serious crime is now committed by juveniles, and some 20 percent of violent crime is committed by juveniles.

We believe in dealing with this problem of serious juvenile crime that the law enforcement and the criminal justice system need to coordinate better. We believe that will be done more easily through the programs that would be funded by the Office of Justice Assistance than through two separate offices. We believe that we can do that by bringing law enforcement, courts, recordkeeping agencies, corrections, and others more closely together to work more closely with a program that is on a continuum—that is, the fact that the serious, more chronic offenders are the same people who go on to be the clients of the criminal justice system later on. By dealing with those offenders in a more cohesive way than we now do, we may be able to better address the problem.

We believe that emphasis on serious juvenile crime must be primarily in the chronic offender, since he is the one who commits most of the juvenile crime and the one that is predictably the person who is going to go on to continue to commit most of the crime. We believe this focus can best be done by the Office of Justice Assistance.

Additionally, the States, of course, continue to treat serious juvenile crime more akin to the way they treat serious adult crime. The States continue to pass statutes that allow serious offenders to be tried in adult courts. Some may argue that it is wrong for the States to do that, to treat juvenile offenders as adults. We believe that is an argument that should be made and resolved in the State legislatures rather than in the Congress of the United States because of the fact that they are State problems. Each State is different, each State has a different set of problems, different statutes, different legislatures, and constituencies that see things in different ways.

We believe that the genius of the Federal system is reflected by the States' ability to handle their problems in their own way. The development and implementation of criminal justice policy outside of the Federal justice system is one of those State prerogatives that may be assisted by the Federal Government, but without Federal interference. Assistance rendered by the Federal Government, such as by the Office of Justice Assistance, can be beneficial, but it should be provided without specific mandates and without the imposition of requirements that State laws be changed.

In conclusion, we do not dispute that OJJDP has done many good things during its existence, and we recognize that it continues to fund many excellent programs. Nevertheless, we do not believe its programs warrant continuation of a separate office and the expenditure of $70 million, particularly in times of restricted Federal budgets.

OJJDP, for all of its good programs, has had little impact on crime. OJJDP has brought a new awareness to the world of juvenile justice, but that new awareness should now be carried forth in State and local governments, in the communities, volunteer groups, and neighborhoods throughout the country.

Thank you very much, Mr. Chairman. I will happy to respond to any questions.

Mr. ANDREWS. Thank you as well, Mr. Regnery.

As you indicated earlier, we contemplate there will have to be additional hearings before we can mark up the bill, unfortunately. Yet, the time schedule in the Congress this year is such that we need to move rapidly. So how we can get those two things together is, for the moment, unknown. But we will anticipate additional hearings.

Today, fortunately from the standpoint of the quality, but unfortunately from the standpoint of time—we do have 13 witnesses, and we are very limited for time today due to many commitments we all have elsewhere. For that reason, I will not attempt, to any considerable extent, to respond to some of the things you said. Perhaps other witnesses will choose to do so.

I don't totally disagree with things you said, and yet I believe there is rebuttal, even among the reports which you cite. You say that the youth are accounting for about a third of the total crime. The very report to which you refer, in fact, indicates that to be true, it being 32.1 percent. But if you go back to 1974, it was nearly 50 percent and, each year, without exception, it has gone down. Something is accounting for that, and while we think it not to be appropriate to suggest that OJJDP has caused it totally to decline, the proportion has varied. It has gone down every year.

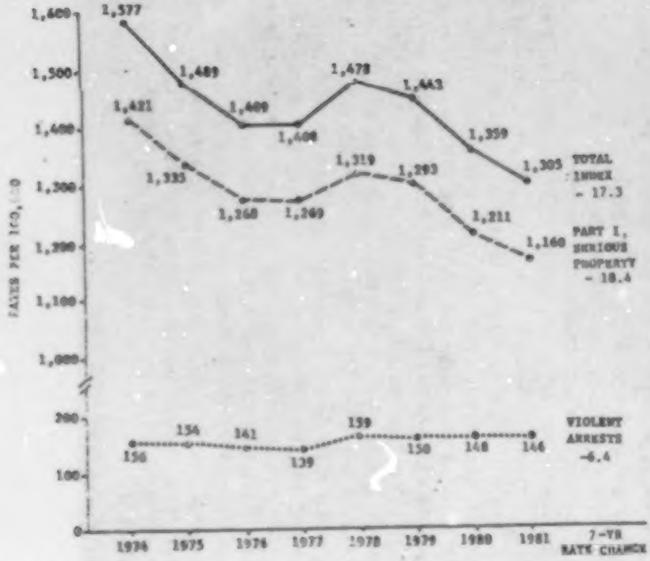
Likewise, in regard to the rate of crimes of all kinds committed by juveniles per 100,000 youth—that, too, has gone down crime by crime, with only 2 or 3 exceptions. Motor vehicle theft has gone down from 139 per 100,000 to 84; robbery has gone down from 83 to 72; aggravated assault has gone up 1 percent, that being one of the only 2 or 3 specific crimes that have gone up.

I could go on reading these. Arson has gone down unfortunately 6.7 percent; forcible rape has stayed the same as has murder and nonnegligent manslaughter. There are those that are large. Burglary arrests rate trend per 100,000 has gone down very dramatically, 17.1 percent.

[Graphs referred to follow:]

Graphic 1

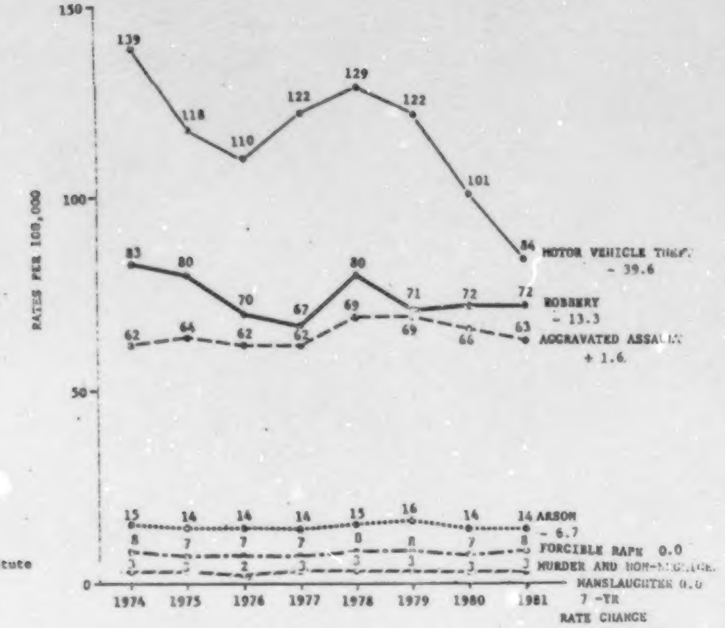
JUVENILE (0-17) INDEX (PART I, SERIOUS PROPERTY AND VIOLENT) ARREST RATE TRENDS
1974 - 1981



SOURCE: American Justice Institute

Graphic 2

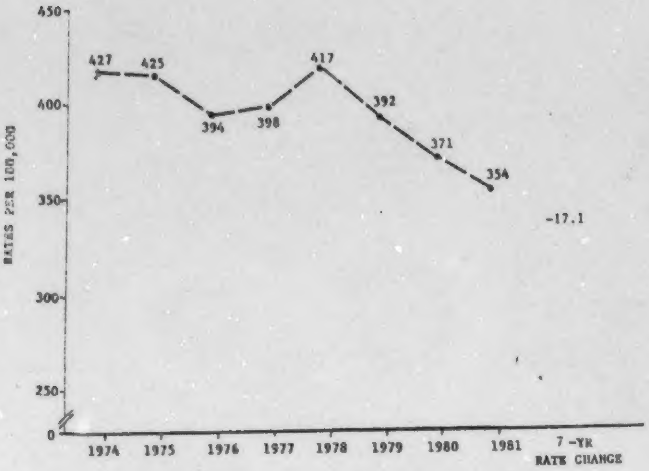
JUVENILE (0-17) MOTOR VEHICLE THEFT, ROBBERY, AGGRAVATED ASSAULT, ARSON, FORCIBLE RAPE, AND MURDER AND NON-NEGLIGENT MANSLAUGHTER ARREST RATE TRENDS 1974 - 1981



SOURCE: American Justice Institute

Graphic 3

JUVENILE (0-17) BURGLARY ARREST RATE TREND
1974 - 1981

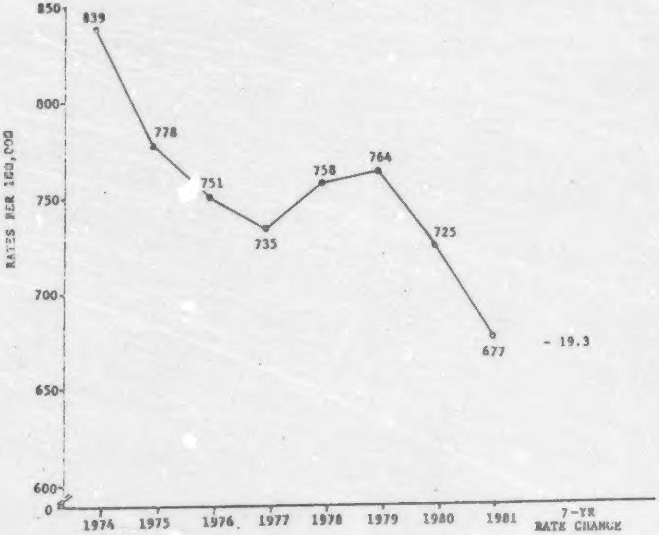


SOURCE: American Justice Institute

Graphic 4

JUVENILE (0-17) LARCENY-THEFT ARREST RATE TREND

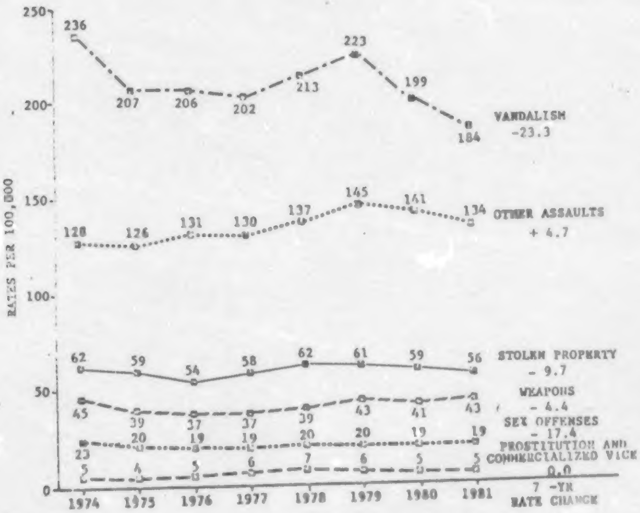
1974 - 1981



SOURCE: American Justice Institute

Graphic 5

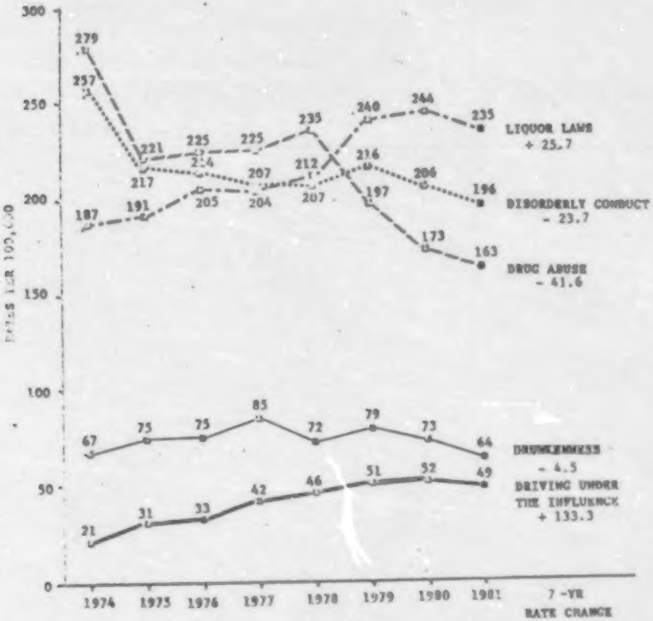
JUVENILE (0-17) VANDALISM, OTHER ASSAULT, STOLEN PROPERTY, WEAPONS (CARRYING, POSSESSING, ETC.), SEX OFFENSES, AND PROSTITUTION AND COMMERCIALIZED VICE ARREST RATE TRENDS
1974 - 1981



SOURCE: American Justice Institute

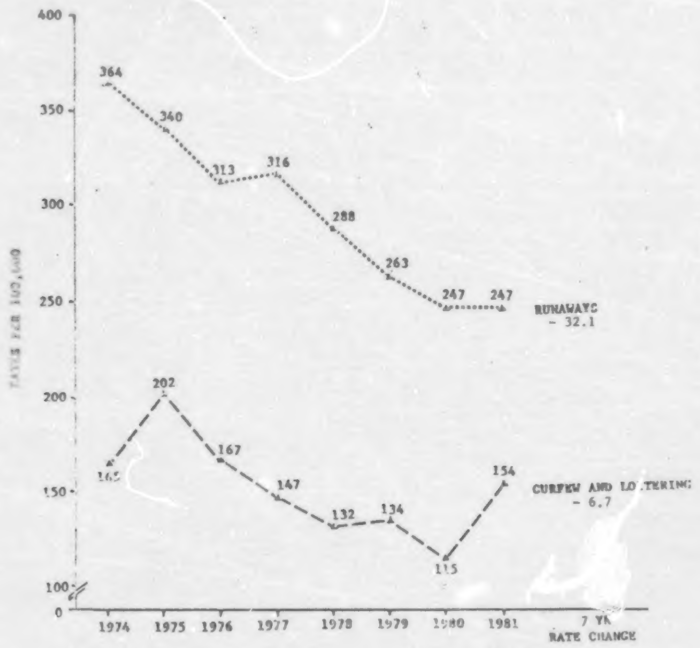
Graphic 6

JUVENILE (0-17) LIQUOR LAW VIOLATIONS, DISORDERLY CONDUCT, DRUG ABUSE, DRUNKENNESS, AND DRIVING UNDER THE INFLUENCE ARREST RATE TRENDS
1974 - 1981



SOURCE: American Justice Institute

Graphic 7
JUVENILE (0-17) STATUS (RUNAWAYS AND CURFEW AND LOITERING LAW VIOLATIONS) ARREST RATE TRENDS
1974 - 1981



SOURCE: American Justice Institute

Mr. **Andrews**. So, almost without exception—or I would say with very few exceptions—either way you look at it, in terms of percentages of crime, in terms of individual crimes committed per 100,000 youth, with very few exceptions, all of it is better.

I can't argue with you or anyone that that is because of this act—but perhaps it is.

Mr. **Regnery**. We would probably both agree it is too high, too.

Mr. **Andrews**. I certainly don't know that. To conclude otherwise, that is, that things have worsened under the act, would be even less sustainable, in my opinion.

The problem we have, among others, in responding through legislation to some of the things you suggest, I would not question but that it would be better in some instances if appropriate authorities did have perhaps the authority—or that is were not precluded by this act—from perhaps causing certain youthful offenders, status offenders, to be placed in institutions perhaps at least for short term.

However, we don't know how to write such an act. You either say you can't do it or you can. If you say you can, then how do you limit the "cans" to those instances where you or I or a judge might think it to be better? I don't know how to make exceptions without opening the door totally—once you open the door at all, it seems to me you virtually remove the door. You might as well take it off its hinges.

If you have, or should later have, suggestions as to how that might be done without essentially destroying the deinstitutionalization feature of the bill, I am sure that the subcommittee would be pleased to consider that. I recognize what you are saying, and I don't totally disagree.

I might also respond by saying that some of the illustrations you use, I think, are not appropriate. You mentioned the 13-year-old girl in New York as pimping. That is not a status offense; that would be a delinquent offense. So whatever that judge preferred to do in response to the crime of which I presume she was convicted would not be interfered with by the act, because that is not a status offense and we are talking about status offenses.

Mr. **Regnery**. The point was, Mr. Chairman, she was a runaway.

Mr. **Andrews**. Yes, but am I not right that that girl could be——

Mr. **Regnery**. I suppose she could be picked up for prostitution, and she might or she might not be, but the point of the illustration was that a 13-year-old unattended child arriving in New York City is pimp bait. She is somebody who is probably going to be picked up by a pimp.

Mr. **Andrews**. Perhaps. But surely you can't arrest, try and put her in an institution when she hasn't committed any crime simply because she is 13.

Mr. **Regnery**. We are not suggesting that.

Mr. **Andrews**. I won't attempt to pursue it further. We obviously do have, at least in degree, some substantial differences which we will explore at a further time.

Mr. Petri, do you have any questions?

Mr. **Petri**. I won't ask questions now because we will have an opportunity a little later. I know there are a number of questions that could be asked, but we do have many witnesses.

The Department of Justice, and you as its spokesman, are currently taking the position that this act should not be reauthorized, at least in its entirety. I hope that you will, nonetheless, work with us with a good heart to try to improve the act. I have discovered that sometimes the administration changes its position in the course of the legislative process. We are making a very serious effort to improve this.

This is not just a Federal concern or interest, it is something that affects us as individuals, as family members, and as State, county, and city officials.

One of my big areas of concern is to try as much as we can on a partnership basis, to make effective use, not only of the Federal dollars involved, but also of the resources at the State and local level. If we end up with mandates that raise the cost so much that local government can't comply or they engage in shadow compliance because it is an unworkable thing that raises their costs out of sight, then we are not getting the job done. We just may be creating employment at the local level but we are not helping kids, and that is what the goal of this legislation should be.

With that in mind, I think you probably do have opportunities to collect statistics or to communicate with people who are actually administering the juvenile justice system in part under this law. We really would like information and ideas as to the most cost-effective way we can do more to help these young people.

Mr. REGNERY. We would certainly be glad to provide any information or data that we have and work with you. I will certainly offer my own services and those of my staff as well. Anything we can provide, we will be happy to try to do so.

Mr. ANDREWS. Before I recognize Mr. Chandler, would you cooperate with us to this extent? Could you give, through your staff or otherwise, to Mr. Raley perhaps some dates, if possible, Wednesdays or Thursdays during coming weeks, when you could come back here without interfering with other—I know you have other responsibilities. We want to be considerate of your schedule and responsibilities, just as we appreciate your being with ours. So we would like to work with you in selecting a date that is mutually convenient.

Wednesday is probably the best date. So far, the Speaker is adhering to this not convening the House until 3 o'clock on Wednesday and, hence, leaving that as sort of a prime day for committees to conduct their business such as hearings. So if you could aim for a Wednesday that we could work out with you, hopefully, we could do that.

Incidentally, we have also been told for the benefit of everyone that all these authorization bills are going to have to be in the Rules Committee—in other words, through this subcommittee and the full committee into the Rules Committee by May 15. And every program we have expires this year, by coincidence. So we have to reauthorize the Older Americans Act, Head Start, and all of them. I just don't know how we are going to find the time to do it and have all the hearings that need to be held with respect to all of them.

So if you would let us know what Wednesdays you could conveniently be available, we will try to work with you in selecting from among those. Hopefully, there will be at least a couple.

Mr. **Regnery**. We will be glad to do that, Mr. Chairman.

Mr. **Andrews**. Thank you.

Mr. Chandler, do you have any questions?

Mr. **Chandler**. If I could just take a moment, Mr. Chairman, I appreciate this opportunity. In the spirit of the remarks made by the gentleman from Wisconsin, I would assume that this subcommittee would reauthorize this act, and I will support that.

However, I think that you have raised some very serious concerns which we need to be aware of and attempt to deal with. Let me give you two.

I represent King County in the State of Washington, a suburban area. We really, in terms of separating juveniles from adult offenders, don't have a problem in that urban and suburban environment. But a few miles to the east, jail removal is a very critical problem for counties, many of which deal with these kinds of cases on an exceptional basis. It is extremely difficult for them to handle this.

Your interpretation of the law as it now exists, I think, would make it very difficult for States like Washington and others to continue with the program if we don't address that separation situation.

I will not call for a response; unless you want to give one at this point, but simply to say that I think that we have to work this out so that you address the fact that there are enormous differences between King County in my area in Grant County in central Washington.

Another area that is of enormous concern to me after having spent 8 years in the Washington Legislature. If there was one thing that troubled me most about the juvenile justice programs, it was the often-heard complaint from what I would consider to be parents who were trying to be responsible with their children and who found themselves very often in conflict with the State over how to handle the youngsters. This is very, very troubling to me.

On the one hand, in order to protect children who don't have enlightened, concerned parents—or perhaps, conversely, suffer from alcoholism, drug abuse, maybe even mental illness—those children really find themselves in need of services. Yet, at the same time, in providing it for those who are most worthy and in need, we, I believe, have found, whether through Federal requirements or those imposed by the State, we are taking away the rights of parents who would otherwise be very thoughtful and do the best they could to raise their children. We have taken away the rights of those to do that. It is something that I think we have to be extremely sensitive about.

Again, assuming reauthorization, please assure this father of a 14- and a 12-year-old that we can attempt to address that a little bit in this reauthorization, and perhaps improve what, in some cases I think, has been a pretty bad situation.

Mr. **Regnery**. I can respond briefly, Mr. Chandler. Let me respond to your second question first.

I think one of the unintended consequences, perhaps, of the Juvenile Justice Act is the fact that—and I think most parents don't recognize this until their child has run away—one of the things we have really done is to emancipate minor children if they care to run away.

Many parents first only find that out when their child is gone and they call the police, and the police say they are sorry, there is nothing they can do, if your child wants to run away, that is his business, and perhaps it is not a runaway case, perhaps it is an abduction or a missing child case.

That is certainly something that needs to be addressed, I think, so that we can respond to those cases, because it may be simply a matter of knowing more than we did in 1974, and it may be a matter of the situation being worse, or a combination of the two. But the missing children phenomenon is certainly a very real one. There are some—nobody knows what number—there are some—I hate to use a number because they are so loose, but the numbers range from 10,000 to 50,000 children a year who are abducted. In most cases, as we know from the television programs that have been aired, there is very little parents can do about it. As I say, one of the reasons is because law enforcement responds to the child as a runaway. That is something that does need to be addressed.

In terms of the first question, the act is rather strict in what it requires us to do in terms of compliance. We instituted regulations in the removal area earlier this year in which I tried to be as broad as I could and still be in compliance with the act in allowing—and particularly we are aiming this at rural counties in the removal mandate, to place children in the same building, in the detention center, as adults. And by the same building, sometimes you may have a courthouse with a wing on one side for children and a wing on the other side for adults.

Many people believe that we shouldn't even allow that to happen, that we should require counties to build a new facility. I think that is unrealistic. I don't think you really gain anything by simply having a building that is off someplace on another part of the grounds. We have done that, and I guess that may alleviate things somewhat, but even so, the act is very strict.

I think that one thing that needs to be done is to hear from a number of rural counties, particularly those that may not have many kids who they lock up, but who have a distinct problem complying with the mandates from a financial standpoint.

We have some of that testimony in the form of letters, and so on, in our office that I would be happy to share with the committee.

[The information was not provided.]

Mr. **Andrews**. Thank you again.

Not just to prolong this, but the situation again is we don't totally differ, but I tend to think you picture it sometimes worse than it is. I understand two GAO reports verify that, of the runaway children who are placed in runaway facilities, only 5 percent of them run away from the runaway facility. I think that is quite good considering that they are runaways and the facilities are nonsecure.

So, whereas the program is not totally succeeding, I believe there is a lot of evidence that it is working better than I believe you are tending to indicate. So we differ only in degree, not totally in principle. I hope I am right and you are wrong.

Thank you.

Mr. REGNERY. Thank you.

Mr. ANDREWS. We appreciate your cohorts being with you as well, and we hope you will come back with Mr. Regnery.

Mr. REGNERY. Thank you, Mr. Chairman.

Mr. ANDREWS. Next we welcome Ms. Lucy C. Biggs, who is Acting Commissioner, Administration for Children, Youth and Families, of the Office of Human Development Services, Department of Health and Human Services.

That is a long, long title for a nice young lady to have. We welcome you, Lucy, and look forward to your statement.

[Prepared statement of Lucy C. Biggs follows:]

Prepared Statement of Lucy C. Biggs, Acting Commissioner, Administration for Children, Youth and Families

Mr. Chairman, I apprecite the opportunity to appear before this distinguished subcommittee to discuss the reauthorization of the Runaway and Homeless Youth Act, Title III of the Juvenile Justice and Delinquency Prevention Act.

In 1973, the Secretary of the then Department of Health, Education and Welfare established an Intra-Departmental Committee on Runaway Youth. This was in response to national concerns about runaways, escalating numbers of delinquency cases brought into juvenile courts throughout the country, and the determination of the U.S. Senate Judiciary Committee to develop an alternative to jail for status offenders. The following year, Congress established the Runaway Youth Program under Title III of the Juvenile Justice and Delinquency Prevention Act of 1974. In 1977, the program was broadened to include homeless youth, and in 1980, the grant funding process was statutorily changed to include a State allocation based on youth population.

The Runaway and Homeless Youth Act provides funds for community-based programs that primarily serve the immediate needs of runaway and homeless youth and their families. The Act authorizes grants for such services as temporary shelter, counseling, and aftercare in settings outside the law enforcement and juvenile justice system. The program is administered by the Administration for Children, Youth and Families (ACYF), within the Office of Human Development Services.

PROPOSED REAUTHORIZATION

I would like to turn to our proposal to extend this program. The Administration is submitting to the Congress today legislation which proposes a three-year extension of the authority for this program and will also include a provision to eliminate the barriers to the use of for-profit organizations in this program.

This amendment will allow the Department to select the most qualified service providers, in order to assure the most efficient and effective provision of services to runaway and other homeless youth, irrespective of the for-profit or nonprofit status of applicants.

In almost every sector of social and public service, for-profit organizations provide comparable quality services at competitive prices. The Federal government already provides funds to other types of for-profit organizations, including direct payments to for-profit hospitals, home health agencies, and mental health centers as well as indirect social service payments for homemaker programs, day care services, and transportation subsidies. Increasingly, for-profit organizations are emerging which combine good business practices with very capable services to various groups.

The Department is requesting an authorization of $10,504,000 for FY 1985, $10,746,000 for Fiscal Year 1986, and $10,977,000 for Fiscal Year 1987, to carry out the functions of the Runaway and Homeless Youth Act.

The Fiscal Year 1985 request of $10,504,000 is the approximate historical level for this program from 1973 through 1982, and will support approximately 170 runaway and homeless youth projects as well as the national toll-free runaway youth hotline.

While most frequently thought of on a national scale, runaway and homeless youth remain largely a State and local problem. The evaluation by the GAO found that approximately 73 percent of runaway and homeless youth come from the immediate geographic areas of the centers from which they sought services.

Recognizing that the problem of runaway and homeless youth is therefore one which is, and should be, treated first and primarily with State and local resources, this proposal would ensure that centers are available in every State for runaway and homeless youth. Moreover, these resources would continue to be used to support the best approaches within each State, as determined through competition for funds—as opposed to providing ongoing funding for the same centers year after year.

Funding for centers would thus be awarded on a one-time basis, with centers competing annually for new awards. This approach, used in Fiscal Years 1983 and 1984 for all centers except the 42 which received initial funding under the Act in Fiscal Year 1981, along with selection criteria emphasizing the ability of projects to continue activities from other sources of funding after the one-time grant expires, has promoted the use of Runaway and Homeless Youth Act funds for start-up costs or to improve an existing program rather than as a sole source of funds. On average, each receives only 25 percent of its total budget from the Runaway and Homeless Youth Program, and uses these dollars to leverage extensive support from other sources.

ACCOMPLISHMENTS SINCE 1980 REAUTHORIZATION

Over the first three years of the current authorization (Fiscal Years 1981-1983), the Runaway and Homeless Youth Program has provided services to an estimated 600,000 youth and their families through the toll-free Runaway Switchboard. The centers funded in this period have served approximately 600,000 youth on both a drop-in and an emergency shelter basis.

Over the same three years, the number of coordinated networks funded by ACYF has risen from eight in Fiscal Year 1981 to eleven in Fiscal Year 1983, with an estimated 15 to 20 to be served in Fiscal Year 1984, the last fiscal year of this authorization. These networks are associations of runaway youth agencies and other social service agencies, and may include State and local governments. They are intended to strengthen the coordination of resources and services to runaway and homeless youth and their families.

RECENT ACTIVITIES

I would like to briefly review for you the major activities recently conducted under this legislation. During Fiscal Year 1983:

We assisted centers for runaway and homeless youth in assessing State and other public and private sources of funds in the support of the runaway and homeless youth centers. Approximately 25 percent of the centers' operating costs was provided by the Runaway and Homeless Youth Program, while 35 percent was provided by State and local governments.

We negotiated an interagency agreement with the Department of Justice to assess the availability, coordination, and delivery of services to vulnerable youth, including runaways, at regional and State levels. This project, being coordinated through various State agencies, Indian Tribal governments, and ACYF's Regional Resource Centers, is being conducted in nine regions and involves 14 States. The outcomes of this activity will include the development of strategies for improving the coordination and delivery of youth services at the State and local levels.

We awarded 37 discretionary grants for a wide range of projects. The outcomes of these projects will provide innovative strategies for addressing the needs of runaway and homeless youth and their families, including prevention. Specific projects include innovative techniques for reuniting runaways with and strengthening families; testing various types of independent living arrangements for 16 and 17 year-olds who cannot return home; effective outreach practices to encourage participation in shelter programs by youth who are initially unwilling to go to a runaway center; and techniques for preventing or intervening in juvenile prostitution.

We participated in the work of the Coordinating Council of Juvenile Justice and Delinquency Prevention, the National Institute of Corrections and the National Advisory Committee on Juvenile Justice and Delinquency Prevention. Separate initiatives with member agencies of the Coordinating Council included the development of a runaway and homeless youth resource guide for ACTION and a rural resource guide on the provision of runaway and homeless youth services for the Department of Agriculture.

We supported the National Communications System at a level of $350,000. This system, which includes the National Runaway Switchboard, provided referral and crisis intervention services to approximately 200,000 runaway and homeless youth and their families during Fiscal Year 1983.

We conducted a short-term evaluation of the operations and technical adequacy of the Switchboard to assess its performance and to identify opportunities for improving its capacity, efficiency, and overall effectiveness. This evaluation indicated that the Switchboard's services and staff are of high quality; the use of volunteers is effective; and relative operating costs are low. We are now carrying out technology and management systems improvements which the evaluation identified for us.

We used the Program Performance Standards for the assessment of center programs, and conducted 67 on-site program performance reviews during Fiscal Year 1983. All centers supported by the Program were also required to submit a self-assessment evaluation documenting their adherence to the Program Performance Standards.

We awarded grants in the third and fourth quarters of FY 1983 to 228 centers for runaway and homeless youth, awarding $17.05 million for the support of centers in the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam. Additionally, one-time "strengthening" center grants were awarded to 110 existing centers to improve their efforts in the areas of outreach, aftercare, and program management.

DHHS-funded runaway and homeless youth centers provided ongoing crisis intervention and shelter services to approximately 50,000 youth. Another 150,000 youth received one-time counseling or referral services on a "drop-in" basis. (These service levels reflect Fiscal Year 1982 grant awards made late in the fiscal year.)

Approximately 50 percent of the youth who received ongoing services were reunited with their families. Twenty-five percent were placed in other positive living arrangements such as friends', group or relatives' homes; and 17 percent were placed in other stable living situations such as boarding schools. An estimated eight percent returned to the streets.

PLANS FOR THE CURRENT FISCAL YEAR

In Fiscal Year 1984, ACYF expects to award grants in support of 240 centers for runaway and homeless youth. This will be an increase of 12 over the number of centers funded in Fiscal Year 1983. We will continue funding for the National Runaway Switchboard, and will work with the Switchboard to increase its technical capability to serve increased numbers of youth and families.

Fiscal Year 1984 funds will also be devoted to the support of special projects to encourage networking activity among the centers, States and other agencies active in the field of youth services. We will also fund technical assistance projects to address such priority areas as reuniting families, independent living, outreach, and combatting juvenile prostitution and sexual exploitation.

GAO REVIEW OF THE PROGRAM

In September 1983, we received a report on the quality and efficiency of the Runaway and Homeless Youth Program prepared by the U.S. General Accounting Office. This report was generally positive, and I would like to review for you highlights of the findings.

The Report found that "the youth who were served, the centers' environments, and the services that were provided were generally those that had been anticipated in the statute." It found further that "youths, parents, staff members, and community service personnel were in agreement that the program is important and that its services are useful." The GAO believes, however, that more guidance is required from the Department "regarding the priorities that centers should give to aftercare services versus crisis intervention, to outreach efforts to youths who are at risk on the streets versus youths who are referred, and to activities that develop coping and living skills versus those that provide unstructured free time."

We addressed two of these areas—outreach and aftercare—through the award of what we called "strengthening center grants" in Fiscal Year 1983. We look forward to the development of effective service techniques and models that can be widely disseminated to centers across the country to assist them in improving the services they provide in these two areas. The issue of improving the use of leisure time is being addressed more informally, during the program reviews and other site visits to the centers.

The effectiveness of the services provided by the centers was also documented through interviews conducted by GAO. The report tells us that 96 percent of the youths, and a like percentage of parents, thought that the center staff were doing a good job. This appraisal, the GAO found, was echoed by others in the community such as professional service providers, school personnel, and police.

MISSING CHILDREN'S LEGISLATION

I would like now to comment briefly on H.R. 4971, the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, introduced by you on February 29, 1984. With regard to the provisions on missing children's assistance, I will defer to the Department of Justice for comment on the specific details of the proposal. I would like to state that we believe the missing children activities should be based at the Department of Justice because of their existing links with the law enforcement community. However, I assure you that we at the Department of Health and Human Services are also concerned about the tragic problem of missing children. We are committed to using the resources and authorities we have in cooperation with the Department of Justice and other Federal, State, local and private organizations to address this problem.

Since your proposal to amend and extend the Runaway and Homeless Youth Act program was only recently introduced, we do not have a formal position on the details of your amendments. As I mentioned earlier, we do support extending this program and will be happy to work with you on doing so.

This concludes my opening remarks. I would like to thank you for the opportunity to testify today before this distinguished Subcommittee, and will be pleased to answer any question that you might have.

STATEMENT OF LUCY C. BIGGS, ACTING COMMISSIONER, ADMINISTRATION FOR CHILDREN, YOUTH, AND FAMILIES, ACCOMPANIED BY DAVID A. RUST, DIRECTOR, OFFICE OF POLICY AND LEGISLATION, OFFICE OF HUMAN DEVELOPMENT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES

Ms. BIGGS. Thank you.

Mr. Chairman, I appreciate the opportunity to appear again today before you and this distinguished committee to discuss the reauthorization of the Runaway and Homeless Youth Act, title III of the Juvenile Justice and Delinquency Prevention Act.

May I say that I have submitted my full testimony to you and the other committee members. If it meets with your approval, I would like to now highlight that in a shorter form.

Mr. ANDREWS. That not only is agreeable with us, but very much appreciated. Without objection, the full statement will be, of course, made a part of the record.

Ms. BIGGS. Thank you.

The Runaway and Homeless Youth Act provides funds for community-based programs that primarily serve the immediate needs of runaway and homeless youth and their families. The act authorizes grants for such services as temporary shelter, counseling, and aftercare in settings outside the law enforcement and juvenile justice system. The program is administered by our agency, the Administration for Children, Youth and Families.

I would like to turn to our proposal to extend this program. The administration is submitting to the Congress today legislation which proposes a 3-year extension of the authority for this program, and will also include a provision to eliminate the barriers to the use of for-profit organizations in this program.

This amendment will allow the Department to select the most qualified service providers that can be found in order to assure the most efficient and effective provision of services to runaway and other homeless youth, irrespective of whether applicants are for-profit or nonprofit status.

While most frequently thought of on a national scale, runaway and homeless youth remain largely a State and local problem. The evaluation by the GAO found that approximately 73 percent of runaway and homeless youth come from the immediate areas of the centers which they go to or which they seek services from.

Recognizing that the problem of runaway and homeless youth is therefore one which is, and should be, treated first and primarily with State and local resources, this proposal would ensure that centers are available in every State and territory for runaway and homeless youth. Moreover, these resources would continue to be used to support the best approaches within each State as determined through competition of funds, as opposed to just providing ongoing funds for the same centers which we know today or have known over the years. There would be competition for these funds.

The Department is requesting an authorization of $10,504,000 fiscal year of 1985, $10,746,000 for fiscal year 1986, and $10,977,000 for the year of fiscal year 1987, to carry out the functions of the Runaway and Homeless Youth Act.

The fiscal year 1985 request of $10,504,000 is the approximate historical level which we had been working with in this program from 1973 through 1982, and it will support approximately 170 shelters across our Nation. It also will include the national toll-free Runaway Youth Hotline, which we feel very strongly must be provided for.

I would like now to address a few of the accomplishments that the 1980 reauthorization provided for.

Over the first 3 years of the current authorization, fiscal years 1981 through 1983, the Runaway and Homeless Youth Program provided services to an estimated 600,000 children and youth and their families through the toll-free runaway switchboard. The centers funded in this period have served approximately 600,000 youth on both a drop-in basis and an emergency shelter basis.

Over the same 3 years, the number of coordinated networks funded by ACYF—we are extremely pleased—has risen from 8 in fiscal year 1981 to 11 in 1983, with an expected 15 to 20 to be served in fiscal year 1984. These networks are associations of runaway youth agencies and other social service agencies, which may include State and local governments, to work on the problem of runaway youth. They are intended to strengthen the coordination of resources and services to these runaway youth and to their families.

The major activities conducted under the legislation during fiscal year 1983 included assisting centers for runaway and homeless youth in assessing State and other public and private sources of funds in the support of the runaway and homeless youth centers. Approximately 25 percent of the centers' operating costs was provided by the runaway and homeless youth program, while 35 percent of the funds necessary to support these centers were provided by State and local governments.

We supported the National Communications System Center at a level of $350,000. This system, which includes the national runaway switchboard, provided referral and crisis intervention services to approximately 200,000 children during 1983.

We used the program performance standards for the assessment of our center programs, and we conducted 67 on-site visits to look at these programs. All centers supported by the program were also required to submit a self-assessment evaluation of their activities and document how they were adhering to the program performance standards which were provided them.

We awarded grants in the third and fourth quarters of fiscal year 1983 to 228 centers for runaway and homeless youth. That award amounted to $17.05 million for the support of centers in 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam. Additionally, one-time strengthening center grants were provided to 110-existing centers to help them in the improvement of their efforts in outreach and aftercare and the overall program management of their services.

During fiscal year 1983, the Department of Health and Human Services-funded runaway and homeless youth centers provided ongoing crisis intervention and shelter services to approximately 50,000 youth. Another 150,000 youth received one-time counseling or referral services on a drop-in basis. These service levels reflect fiscal year 1982 grants that were made late in the 1982 fiscal year.

Approximately 50 percent of the youth who received ongoing services were reunited with their families. That we are extremely pleased with.

Mr. ANDREWS. Would you repeat that?

Ms. BIGGS. Yes; approximately 50 percent of the runaway youth who came into our shelters were reunited with their families; 25 percent were placed in other—and I would underline "other"—positive living arrangements such as friends' homes, group or relatives' homes; and 17 percent were placed in other stable living situations, such as boarding schools. That gives a fairly sizable percentage that we feel we have reunited provided with a stable living arrangement and they are not out on the street.

An estimated 8 percent did return to the streets, which we always feel badly about.

In fiscal year 1984, ACYF expects to award grants in support of 240 centers for runaway and homeless youth. This will be an increase of 12 over our present number of centers in 1983. We will certainly continue funding the national runaway switchboard, and will work with the switchboard to increase its technical capability to serve an increased number of youth calls, parent calls, et cetera.

Additional fiscal year 1984 funds will also be devoted to the support of special projects to encourage networking activity among the centers, States and other local agencies that are active and are interested in the field of youth services. We will also fund technical assistance projects to address priority areas that we had designated and that we know are out there, such as reuniting more youth with their families, independent living—which is certainly a problem we must address—early outreach before the children run away, and combating juvenile prostitution and sexual exploitation

This concludes my remarks to you. Again, I say that my remarks are in more detail in the testimony that I submitted. I certainly want to thank you for letting me address my remarks to you, and I am open to questions or comments.

Mr. ANDREWS. Thank you.

Mr. Petri.

Mr. Petri. I have no questions, Mr. Chairman.

Mr. Andrews. Mr. Chandler.

Mr. Chandler. No questions, Mr. Chairman

Mr. Andrews. Let me again thank you.

If I may, and it is a little bit unorthodox, but there is a matter I would like to speak with you about, if I may just meet you over here for just a moment.

I will ask Mr. Petri to proceed.

Ms. Biggs. Thank you.

Mr. Petri [presiding]. Mr. Jones.

[Prepared statement of Arnold P. Jones follows:]

PREPARED STATEMENT OF ARNOLD P. JONES, SENIOR ASSOCIATE DIRECTOR, GENERAL GOVERNMENT DIVISION, U.S. GENERAL ACCOUNTING OFFICE, WASHINGTON, DC

Mr. Chairman and members of the subcommittee, we appreciate the opportunity to testify before you today on our preliminary observations concerning the Office of Juvenile Justice and Delinquency Prevention's program to evaluate state monitoring reports and the administration's statements that the objectives of the Juvenile Justice and Delinquency Prevention Act of 1974 have been largely accomplished. In response to your April 29, 1983, request we expect to issue a report to you later this year.

The act was established with several basic objectives. Three of these objectives have been cited by the Department of Justice as key. They are (1) deinstitutionalize status offenders and juveniles not charged with an offense; (2) separate juveniles from incarcerated adults; and (3) remove juveniles from adult incarceration facilities. The administration has claimed that the first two of these objectives—not incarcerating status and nonoffenders and separating juveniles from incarcerated adults—have been largely accomplished. They base this claim on data provided in monitoring reports that states are required by the act to submit to the Office. Progress on the third key objective—the removal of juveniles from adult incarceration facilities—has been limited because, according to the act, states are not required to accomplish this objective until 1985. Using the data provided on the first two objectives and defining the other objectives as responsibilities that the states already have the capability of meeting, the administration has argued that the program has accomplished its objectives.

We were asked to present our assessment of the Office's program to evaluate state monitoring reports and the validity of the conclusions drawn from them by the Department of Justice. In our examination, we found that the Office does not evaluate the reliability and validity of the data that are submitted as part of the state monitoring reports. Our current review and recent prior reviews have found evidence of inaccurate and incomplete local records upon which the state monitoring reports are based. Consequently, state monitoring reports cannot be considered as sufficiently valid and reliable to measure progress in meeting the remaining objectives in the act. I would now like to provide more detail on the results, to date, of our assessment.

THE OFFICE DOES NOT VALIDATE MONITORING DATA

The act requires that states applying for grants authorized under the act have an adequate system for monitoring jails, detention facilities, correctional facilities, and nonsecure facilities to ensure that the objectives of not incarcerating status offenders, separating juveniles from incarcerated adults, and removing juveniles from adult facilities are met. The Office defined the term adequate through its regulations and policies. The act also requires that states submit annual reports on the results of such monitoring to the Administrator of the Office.

The Office does not have a formal policy or guidelines requiring its staff to validate monitoring reports. Office staff memers told us they rely on data in the monitoring reports to determine compliance with the three objectives and do not question the data's accuracy. Under the act and Office policy, each state is given the responsibility for establishing its own system for monitoring compliance with the act's key objectives—a self assessment.

State monitoring systems

Office policy requires that every facility in a state that may be used for detention of juveniles prior to disposition (jails, lockups, detention centers) or commitment of juveniles after disposition (training schools) must be monitored and inspected through on-site visits. If this is not possible, a random sample of facilities must be inspected to verify the data in the monitoring report. Based on telephone interveiws with officials from 24 states, we found that the states' verification processes ranged from none in 4 states to on-site verification of data from all facilities in two states. Other methods used by the remaining states included interviewing local officials and examining records at a sample of the facilities.

We have discussed monitoring system problems and recommended corrective actions in two prior reports. In our June 5, 1978, report entitled "Removing Status Offenders From Secure Facilities: Federal Leadership and Guidance Are Needed," we reported that state monitoring systems to determine compliance with the act's objectives had not been established and that reliable juvenile detention and commitment data did not exist. Our March 22, 1983, report entitled "Improved Federal Efforts Needed to Change Juvenile Detention Practices," showed that the five states we visited had not established comprehensive monitoring and recordkeeping systems for detention facilities, especially jails and lockups. These states could not provide us with accurate data on the total number of juveniles held in detention facilities. Further the local facilities' records were often inaccurate or incomplete.

The Office has not completed its efforts in response to our recommendations. For example, we recommended that the Office assist states and localities in improving their monitoring and recordkeeping systems to adequately account for juvenile detention practices. The Office has developed recordkeeping and data collection policies and practices though, to date, these policies and practices have not been issued to the states.

Recent evidence indicates that state monitoring systems still have problems. Criminal Justice Council officials in 21 of 40 states and state agency officials in 19 of 33 states responding to our questionnaire, stated that the assistance, other than funding, provided by the Office to establish and improve their monitoring and data collection systems was less than needed.

We interviewed state and local juvenile justice officials, examined records, and inspected a limited number of state and local facilities in North Carolina and Texas to obtain first-hand information on monitoring practices and juvenile justice activities. Because of the small number of facilities time allowed us to inspect, our findings are not necessarily indicative of other facilities in the states. In North Carolina, the agency which monitors compliance under the act has to rely on data supplied by other state agencies because it lacks state-level authority to collect data from facilities. The agency the collects data from local jails and lockups does not verify the number of juveniles held or the length of stay.

The North Carolina official who prepared the 1982 report told us that data necessary to accurately answer questions in the monitoring reports were not collected and the reported numbers were probably inaccurate. Another North Carolina official who prepared the most recent reports said that the accuracy of these reports was questionable because appropriate data was not available. The North Carolina Governor's Crime Commission is currently reviewing each state agency's reporting needs so it can devise a form that facilitates timely and accurate reporting.

Texas based its separation data in 1982 and prior years on the number of juveniles held in jails, but not whether the jails provided sight and sound separation. We inspected four jails in 1983 and found that two jails certified to hold juveniles had detained an estimated 400 juveniles in 1982 and did not provide sound separation.

In Texas we also found:

The state statistics used to prepare the monitoring report did not include detained juveniles who were not charged with an offense and, starting in 1983, only truants and runaways were reported as status offenders, while possession of alcohol and "all other status offenses" were dropped.

One county we visited did not report detained juveniles, including status offenders and nonoffenders, if they were detained pending transfer to child welfare or another program.

Two of the six counties we visited with the third and eighth largest juvenile populations in the state, reclassified status offenders as delinquents if the juvenile had never been referred to court for a delinquent offense, regardless of the outcome of that referral.

OBSERVATIONS OF PROGRESS CONCERNING THE ACT'S OBJECTIVES

In your April 1983 letter you also requested that we provide information on accomplishments under 10 objectives in the act. As discussed, the act provides specific time frames and requires the states to monitor accomplishments under three objectives—deinstitutionalization of status offenders and nonoffenders, separation of juveniles from adults, and removal of juveniles from adult facilities. We recognize that while not all of the remaining objectives may lend themselves to being quantitatively measured, clearly some can be. But for there to be a useful evaluation of any of the 10 objectives, criteria and valid data collection strategies are essential. Because the Office has not required rigorous data collection procedures, the state monitoring reports are not, in our opinion, a definitive basis for drawing conclusions about the overall effectiveness of the act with respect to any individual objective.

We made the following observations concerning each objective based on the results of a nationwide questionnaire, national estimates based on juvenile justice court cases, and detailed work in North Carolina and Texas. We used questionnaires to obtain information from all states participating in this program, a random sample of judges who belong to the National Council of Family and Juvenile Court Judges, and a judgementally determined sample of juvenile advocacy groups. The national estimates of juvenile justice statistics were prepared for us by the National Center for Juvenile Justice.

Deinstitutionalization of status and nonoffenders

The act states that within 3 years after a state begins participating in the formula grant program, juveniles who have committed offenses that would not be considered criminal if committed by an adult or such nonoffenders as dependent or neglected children shall not be placed in secure detention or correctional facilities.

National estimates show that in 1981, about 37,000 status offenders referred to juvenile court were detained in secure facilities, as compared to about 127,000 in 1975. Progress in removing status and nonoffenders from secure facilities was claimed by Criminal Justice Councils in 35 of 39 states responding to our questionnaire, with the remainder claiming the objective had been accomplished. Even with this progress, Council officials in 31 of 40 states reported the need for continued federal funding to support this objective.

Statistics available in North Carolina show that it has made progress in reducing the number of status offenders held in secure facilities, but the state juvenile justice coordinator told us she was uncertain over the actual number of status offenders held. Texas monitoring data showed the number of status offenders detained over 48 hours, excluding weekends and holidays, decreased from about 4,000 in 1975 to about 1,100 in 1982.

Separation of juveniles from adults

The act provides that juveniles shall not be detained or confined in any institution in which they have regular contact with incarcerated adults. The Office defines the term "regular contact" to mean that incarcerated juveniles and adults cannot see each other and no conversation is possible.

Progress in accomplishing this objective was claimed by Criminal Justice Councils in 30 of 40 states responding to our questionnaire, with nine Councils reporting their states had accomplished it. Council respondents in 25 states also said there is a continued need for federal funding to support this objective. According to 60 judges, either the current number of programs or more are needed in their jurisdictions to accomplish this objective.

In our March 1983 report, we showed that the five states we visited had generally improved their practices of separating juveniles from adults. We found, however, incidents of inadequate separation, separation under harsh or isolating conditions, and locations where we could not determine whether compliance was achieved.

In our current review, we also found incidents of inadequate separation. We visited two jails in North Carolina that were certified to hold juveniles. The jailers at these facilities told us they did not provide sound separation for all juveniles. On the basis of our observations and discussions with local officials, we concluded that two of four jails in Texas did not provide sound separation. Local court officials agreed with our conclusions.

Removal of juveniles from adult facilities

The act provides that, after December 8, 1985, no juveniles shall be detained or confined in any adult jail or lockup, except in low population density areas. In these areas, temporary detention in adult jails is permitted for juveniles accused of serious crimes against persons.

According to the latest available Bureau of Justice Statistics Bulletin, the estimated number of juveniles in adult jails on June 30, 1982, about 1 700 was unchanged from the number reported more than 4 years earlier. The Bureau further estimates that, if the average daily population approximates 1,700 and if the average stay is 2 days, more than 300,000 juveniles were held in jail during the preceding 12-month period.

Data concerning this objective was first required in the 1982 monitoring reports. Although data was not available for all states, the Office determined that 16 states had complied. Juvenile justice agency officials in the 38 states responding to our questionnaire provided the following perspective on progress.

In 1982, nine states held all of their juveniles detained prior to disposition in facilities exclusively for juveniles.

In 1982, 24 states held all of their juveniles committed to rehabilitation in facilities exclusively for juveniles.

The states we visited had made progress but had not achieved this objective. North Carolina law requires that all juveniles be removed from adult jails by July 1, 1985. According to state officials responsible for fulfilling this requirement, they may miss this deadline but should meet the act's December 1985 deadline.

According to Texas Criminal Justice Division officials, their largest juvenile justice challenge is removing all juveniles from adult jails. They reported to the Office that insufficient state and local funds are available for regional detention facilities and, that the state cannot meet the act's December 1984 deadline unless federal funds are also provided for the construction and renovation of these facilities.

Reducing the number of secure detentions and commitments

The act states, in part, that formula grant funds shall be used for programs to increase usage of nonsecure facilities and discourage secure incarceration and detention.

National estimates indicate that secure commitments after disposition have increased and secure detentions before disposition have decreased. The National Center for Juvenile Justice estimates that, in 1975 the courts committed about 67,000 juveniles to institutions compared to about 84,000 in 1981. The Center also estimates that in 1975 about 339,000 of the juveniles referred to juvenile court were held in secure detention facilities, compared to about 270,000 in 1981.

In our questionnaire, Criminal Justice Council officials in 34 of 40 states reported progress in reducing secure detentions before disposition and 35 of 40 reported progress in reducing secure commitments after disposition. Thirty-seven of 40 Councils reported a continued need for federal funding to further reduce secure detentions while 36 reported they needed federal funding to reduce secure commitments.

Progress is also evident in North Carolina and Texas. North Carolina studies show that admissions to juvenile detention centers decreased by 30 percent between 1978 and 1982, while training school admissions decreased by 53 percent between 1974 and 1982. A 1982 survey showed that the greatest juvenile justice need at the local level in Texas was for more short- and long-term alternatives to reduce the number of juveniles placed in secure detention and correctional facilities. State statistical reports show, however, that the number of juveniles detained after referral decreased by 8 percent between 1976 and 1982.

Due process and procedural safeguards

The act authorizes "Special Emphasis" grants, in part, to improve the juvenile justice system to conform to standards of due process.

Criminal Justice Council officials responded in our questionnaire that 29 of 40 states have made progress in this objective, and 5 others have accomplished it. A continued need for federal funding under this objective was reported, however, by 35 states.

Concerning procedural safeguards, the juvenile court judges generally responded that all or almost all juveniles in their jurisdictions were afforded due process and procedural safeguards, and these rights were explained to the juveniles.

About 93 percent of the jurisdictions explained to juveniles that they have the right to remain silent and the right to an attorney.

About 90 percent explained to juveniles that their statements could be used against them.

About 97 percent provided the juveniles with the right to an impartial decisionmaker.

On the other hand, a majority of the jurisdictions did not provide juveniles with the right to a trial by jury and bail.

Delinquency prevention

The act states, in part, that formula grants shall be used for dveloping, maintaining, and expanding programs and services designed to prevent juvenile delinquency.

Preventing delinquency, as a concept, is agreeable to most, but the reality of how to define or accomplish it and how to know when it is substantially accomplished is difficult to address. We identified indicators concerning progress under this objective. For example, national estimates show that the delinquency arrest rate per 100,000 juveniles, aged 10 through 17, decreased by 3 percent between 1975 and 1981. This indicator, however, shows police activity, but not necessarily changes in delinquent activity.

Criminal Justice Council officials in 37 of 40 states responded to our questionnaire that progress has been achieved under this objective. All 40 expressed a continued need for federal funding to accomplish it.

Both North Carolina and Texas funded statewide prevention programs to keep students in school rather than suspending or expelling them. While the number of programs in North Carolina increased from 37 in 1977 to 98 in 1982, indicators show that the dropout rate per 1,000 juveniles, aged 10 through 17, decreased by 24 percent; the rate of suspensions increased by 2 percent; and the expulsion rate increased by 28 percent.

According to a Texas report, approximately 92 percent of the juveniles who would have otherwise been suspended or expelled from school in 21 communities were returned to regular classrooms. The report also stated that law enforcement officers in one community had noted a corresponding reduction in daytime burglaries which they attributed to the program keeping unsupervised juveniles off the streets.

Diverting juveniles from the juvenile justice system

The act states, in part, that formula grant funds shall be used for developing, maintaining, and expending programs and services designed to divert juveniles out of the juvenile justice system.

Progress under this objective is difficult to measure because juveniles may be "diverted" out of the system at different times, depending on how diversion is defined. For example, the police may "divert" a juvenile simply by not arresting or referring the juvenile to court. These diversions are not always recorded.

We identified several indicators of juvenile diversion being practiced. For example, national estimates show that about 70 percent of the juveniles referred to court in both 1975 and 1981 did not go through the full adjudication process. Also, North Carolina revised its juvenile code in 1979 to keep juveniles away from the juvenile court system if possible. Texas statistical information shows that the police counseled and released 38 percent of the juveniles arrested in 1982 and the courts deverted about 69 percent of referrals out of the juvenile system.

Resolve problem of serious crime by juveniles

The act states, in part, that formula grant funds shall be used in developing, maintaining, and expanding programs and services designed for juveniles who have committed serious crimes, particularly programs which are designed to improve sentencing procedures, provide for infomed dispositions, and provide for effective rehabilitation. While not required, the Office encourages states to allocate a minimum of 30 percent of the formula grant funds to programs designed for serious and repeat offenders.

Changes in the level of serious crime, like several other objectives, can be measured in different ways. We obtained estimates which show that referrals for crimes against persons and those against property increased by 26 percent and 3 percent, respectively, from 1975 to 1981. Other estimates, however, show that arests for crimes against persons stayed about the same between 1975 and 1981 and arrests for crimes against property decreased by 7 percent.

On the other hand, Criminal Justice Council officials responded to our questionnaire that 29 of 40 states had made progress in programs for juveniles committing serious crime and 39 said there was a continued need for federal funding to support these programs.

North Carolina statistics show that juvenile arrests for "major crimes" decreased about 23 percent between 1976 and 1981. The extent of serious crime by juveniles in Texas had not been established but reports showed that, from 1978 through 1982, about 3 percent of court referrals were for violent crimes and about 36 percent were for crimes such as burglary and theft.

Advocacy activities to improve services for youth

The act states, in part, that formula grant funds shall be used for projects designed to develop and implement programs stressing advocacy activities aimed at improving services for and protecting the rights of youth affected by the juvenile justice system.

Our questionnaire results indicate that organizations advocating improved juvenile justice and improved juvenile services are active in 28 of 32 states. In our state work we found that there were 80 statewide and about 34 local youth advocacy groups in North Carolina in May 1983. We visited two statewide organizations and a local organization and were told that advocacy groups have prompted legislative and policy changes at the state level and increased public awareness of juvenile issues at the local level.

The primary advocacy group in Texas, the Texas Coalition for Juvenile Justice, attempts to influence the state legislature on policy issues related to juvenile justice. The Coalition's director explained that it has worked to improve services throughout the state and, partly through its lobbying efforts, Texas established a Juvenile Probation Commission in 1981 to make juvenile probation services available throughout the state, make probation services more effective, provide alternatives for delinquent juveniles through state aid to probation departments, and establish uniform probation standards.

Community-based alternatives to incarceration

The act states, in part, that formula grant funds shall be used in developing, maintaining and expanding programs and services to provide community-based alternatives to secure detention facilities and secure correctional facilities.

Our survey showed that although the participating states had made progress in developing and expanding community-based alternatives, there were indications that this objective has not been fully accomplished. Specifically, 22 of 37 state agencies indicated that the number of nonsecure community-based facilities is less than adequate. The following factors were reported as hindering the development of alternatives in some of the 38 states we surveyed:

Disagreement about the importance of alternatives (23 states).

Resistance from communities where facilities could be located (36 states).

Availability of funding (36 states).

Availability of transportation (16 states).

Further, all 38 states said the future federal role in developing community-based alternatives should remain the same as it is now or be expanded.

Our work in North Carolina and Texas supports the survey results. A 1982 Texas study showed that only 20 of 136 county departments reported sufficient resources to meet short-term alternative placement needs and 26 reported being able to meet long-term alternative placement needs. Our analysis of this study showed that 85 percent of the counties do not have community-based alternatives to incarceration.

The Community-Based Alternative Program in North Carolina, however, reported expanding programs from 152 in 1977 to 302 in 1982. The assistant program director said that shortages still exist in 20 eastern and 5 western counties.

Federal presence in juvenile justice

Top officials in the Office told us the current administration believes that the states have demonstrated their ability to meet the act's objectives without continued federal involvement. They explained that the accomplishments in deinstitutionalizing status offenders and separating juveniles from adults demonstrate the state and local capability of achieving the act's objectives.

State juvenile justice officials responded to our questionnaire that, although the federal proportion of total funds expended to prevent, control, and treat juvenile delinquency is small, it has been a factor in making progress under the objectives. The average federal proportion reported by Council officials was 5 percent for fiscal year 1983. At least 29 of 40 Council officials responded, for each objective, that the Juvenile Justice and Delinquency Prevention Act of 1974 was a factor in the progress achieved. State agency officials' responses to this question varied by objective, but a majority said assistance provided under the act was a factor in the progress achieved for all objectives except due process, where the act was reported as a factor in 15 of 38 states.

We also asked Council officials what the effect would be on the current effort for each objective if they no longer received federal funds. A majority of the respondents said that their current efforts would be reduced for all objectives except separation and due process. In addition, all 40 of the Council officials said that federal funding should remain the same or be expanded and 38 said federal leadership, that is, identifying national priorities, setting national objectives, etc., should also remain the same or be expanded. Likewise, juvenile justice agency officials in 33 of 38 states said federal funding should remain the same or be expanded and 31 said federal leadership should remain the same or be expanded. Juvenile court judges had similar opinions for their jurisdictions. Ninety percent said federal funding should be expanded or remain the same and 80 percent said federal leadership should be expanded or remain the same.

CONCLUSION

This concludes my prepared statement. We hope this information and the detailed information in our report later this year will assist the subcommittee in its considerations concerning reauthorization of the Juvenile Justice and Delinquency Prevention Act of 1974. We would be pleased to respond to any questions at this time.

STATEMENT OF ARNOLD P. JONES, SENIOR ASSOCIATE DIRECTOR, GENERAL GOVERNMENT DIVISION, GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY LARRY HARRELL, SUPERVISORY EVALUATOR, GENERAL GOVERNMENT DIVISION, GENERAL ACCOUNTING OFFICE; AND RALPH E. REARDON, GENERAL ACCOUNTING OFFICE, NORFOLK REGION, RALEIGH, NC

Mr. JONES. Mr. Petri and members of the committee, as you know, I have a rather detailed and lengthy statement that we have submitted for the record.

Obviously, with your support, I would like to give a rather brief statement highlighting what we said in the statement, and remind the committee that we have a draft report, an evaluation, that we are doing pursuant to a request from the chairman sent to us in April of 1983, which we expect to issue later this year that will include the results of our rather extensive analysis concerning the issues raised in the request.

I am accompanied today by Mr. Larry Harrell, who is the Supervisory Evaluator who oversaw the work, the essence of which we are presenting this morning. This is Mr. Ralph Reardon from our Raleigh, North Carolina suboffice who conducted the detailed work in North Carolina.

With that having been said, prior witnesses have talked about the basic objectives of the act, but I do want to address three that have been cited by Justice as key in making their assessment of accomplishments made under the act. They are the deinstitutionalization of status offenders and nonoffenders objective, the separation objective, and the removal objective. We all recognize that the administration has claimed that the first two of these objectives have been largely accomplished.

You asked us here today to provide an assessment of OJJDP's program to evaluate State monitoring reports, and you wanted observations on progress in meeting the other objectives in the act that you specified in your request.

To that end, we found that the office does not have a formal policy or guidelines requiring its staff to validate monitoring reports. Office members told us that they rely on data in the monitoring reports to determine compliance with the three objectives and do not question the data's accuracy. Our current review and recent prior reviews found evidence of inaccuracy and incomplete local records upon which State monitoring reports are based. Consequently, State monitoring reports cannot be considered as sufficiently valid and reliable to measure progress in meeting the key objectives of the act.

In your April 1983 letter, you also asked us to give you some information on accomplishments under 10 specific objectives of the act. The observations that I am going to give you will be based on preliminary analysis of responses from a nationwide questionnaire, national estimates based on juvenile justice court cases, and some detailed hands-on—as well call it—work in North Carolina and Texas.

Briefly, respondents to our questionnaires—and these respondents were State juvenile justice agency and criminal justice counsel officials, juvenile court judges, State juvenile justice advisory group chairs, and youth advocacy group officials—generally reported varying degrees of progress, including complete accomplishment in meeting the objectives of deinstitutionalization of status offenders and nonoffenders, separation of juveniles from incarcerated adults, reducing the number of secure detentions and commitments, providing due process, delinquency prevention, diversion, resolving the problem of serious crime by juveniles, improved advocacy activities and community-based alternatives.

I have left out one important objective, and that is the objective of removing juveniles from adult facilities. As we all recognize, this objective, according to the act, is not scheduled to be met until December of 1985. Data on this objective was not required to be in the monitoring reports until 1982.

According to the latest available bulletin from the Bureau of Justice Statistics, the estimated number of juveniles in jails on June 30, 1982, was about 1,700. Interestingly, that was unchanged from the number reported 4 years earlier.

The Bureau further estimates that if the average daily population approximates 1,700, and if the average stay is 2 days, more than 300,000 juveniles were held in jails during the preceding 12-month period. I will remind you that Governor Robb mentioned, I think, the figure of about 400,000 youth being held in jail. Given the margin of error possible in the Bureau's estimate, I don't think there is a fundamental difference between these two numbers.

Juvenile justice officials in 38 States responding to our questionnaire provided the following perspective on progress being made toward meeting the removal objective. In 1982, 9 States held all of their juveniles detained prior to disposition in facilities exclusively for juveniles; also in 1982, 24 States held all of their juveniles committed to rehabilitation in facilities exclusively for juveniles.

This concludes our basic observations concerning progress in meeting the act's objectives. In closing, I would like to provide you with just a little bit of insight on what State representatives and judges who responded to our questionnaire, felt about the act and the Federal role.

We have already repeated what the Office said with respect to their view as to the act having achieved its objectives—or key objectives—whichever you wish.

However, State juvenile justice officials responded to our questionnaire that although the Federal proportion of total funds expended to prevent, control and treat juvenile delinquency is small, it has been a factor in making progress under the objectives. State juvenile justice agency officials' responses to questions varied by objective, but a majority said that assistance under the act was a factor in the progress achieved for all of the objectives except due process. A majority of the respondents said that their current efforts would be reduced for all of the objectives, except separation and due process, if they no longer received Federal funds.

Equally important for your consideration of reauthorization, 38 juvenile justice agency officials said Federal leadership—that is identifying national priorities, setting national objectives—should remain the same or be expanded.

Ninety percent of the juvenile court judges responding to our questionnaire said that Federal funding should be expanded or remain the same, and 80 percent of the judges said Federal leadership should be expanded or remain the same.

Having met my goal of brevity, I would like to say this concludes my prepared statement, and I offer ourselves up to you to answer anything we can, either today or in working with Mr. Raley of the staff.

Mr. PETRI. Thank you.

I would like maybe a little clarification as to how much weight to give the results of the surveys. You stated that your own investigations indicated that the State statistical reports were not particularly accurate so far as what is actually happening in real life out in the counties and cities and institutions.

Mr. JONES. Mr. Petri, let me be very specific here. We found in the course of our review that there were evidences of arithmetic errors in the monitoring reports and errors of timeliness. Now one may be the cause of the other, I am not prepared to say now.

But if you do not attempt to validate data submitted from the local level on up through the State process to the focal point in the State, it makes suspect any statements you make with respect to accomplishments if it is based solely on unvalidated, possibly unreliable, data that comes up from the bottom. I am not trying to weasel, I am trying to be very specific.

Mr. PETRI. I am just curious if you could comment at all on whether people are processing juveniles differently in order to appear to come under the act while not really doing it, either by not dealing with them as juveniles and making them be waived to adult status or by manipulating the input/output figures in order to appear to be complying with the act while really not——

Mr. JONES. We are not prepared to make a definitive statement on that.

I will give you some anecdotal type comments, and just say that what we are doing now is subjecting the data we have gathered to the rather rigorous process that we go through prior to issuing a report. I will feel a lot better when we issue the report to you.

But an example was that in Texas we found evidence of data from two jails certified to hold juveniles—there was evidence, I believe, that they had held juveniles; is that correct?

Mr. HARRELL. Yes; that is correct.

Mr. JONES. Based on our visit and corroboration by local officials, there had been occasions in which juveniles have been held where they were not separated from adults by sound. This was not reported in the monitoring report for these jails.

So there is an example of data being reported that doesn't exactly fit the facts. Obviously, I think there is no evidence on collusion on the part of anyone to not tell the truth, but it is this sort of thing that gets perhaps—perhaps—replicated among the States and the jurisdictions that sometimes can render suspect allegations of the act having met its objectives.

I just think, from the point of view of GAO endorsing a program as having achieved its objectives, whenever you talk about the 3 that are key or the 10 that are fairly well spelled out in the act, it takes a lot more than just taking bold statements from affected parties— and you were beginning to lead to something about bold statements from affected parties— and one of our questionnaires, obviously, was addressed to people who are advocates. That is quite correct, although one might argue that the State juvenile justice officials provide balance. But you have to be careful.

In our analysis, of course, we have questions—in developing a scientific questionnaire, we have questions which attempt to make sure that people are fairly consistent in the answers they provide. That is the best we can do.

Mr. PETRI. You did answer the next question I was going to ask.

Mr. JONES. Thank you.

Mr. PETRI. Judges get some money under the act to administer their offices, so they are naturally going to want to have the program continued if it doesn't cause them too much trouble. But that does not say anything really about what is happening on the ground to kids and whether we are really helping them become productive members of society.

Mr. JONES. I might just say one more thing—again with brevity in mind—the States, under the current regulations, OJJDP-issued regulations, operate in a self-assessment mode. They also are, pursuant to policy and consistent with law, allowed to develop their own reporting and recordkeeping packages to provide information on the monitoring reports.

We had recommended in a prior report, and OJJDP now has, model reporting and recordkeeping policies that, to date, they have not submitted or required of the States. Having once worn a hat in charge of GAO's support of the paperwork reduction activities, I have to forget that other hat and say that obviously we don't want to levy additional and burdensome reporting and recordkeeping requirements on the States and local communities, but there is an effective tradeoff under law that says, if this is important enough, and if the program is important enough, and if the requirement to make reliable assessments is meaningful, the first place you have to start is with data that is uniform. We don't want to have the several States, the several localties, doing their own thing—to use the vernacular—and supplying different data upon which national estimates begin to be made.

In no way, by the way, for the record am I saying that the objectives have not been reached. I am very specific. If you use the monitoring reports, the positions you take are suspect.

Mr. PETRI. I want to thank you for your work on this. It is going to be very helpful to our subcommittee and to the Education and Labor Committee as we try to improve this act and make it easier to administer.

I don't think you were really directly asked to do this, but I wonder if you do happen to come across any figures, or easily can find them, as to what it costs people at the county level or the city level to comply with the act in different size counties?

One of the big problems a lot of them have, when you come right down to it, is that if they have to have, for instance, separate staffs as opposed to just training existing staffs. That is clearly an enormous additional cost for a county and it may, therefore, make it undesirable for them to participate in the whole program. They will then ask their State to withdraw. We reach a point where we are asking people to have separate staffs—for which there may be some benefit, but it may be only marginal. A fellow who works in a jail is not automatically going to mistreat a youthful offender. He could be a very good, helpful friend to that offender. So we may be requiring the expenditure of a great deal of money for separate staffs, for somewhat questionable benefits.

Cost figures could certainly be helpful here. If that requirement produces enormous cost, not for the Federal Government, but for the other units of government, and the benefit is inconclusive, it may be that it doesn't make much sense for us to have such a requirement. We might not do it ourselves if we were paying it out of Federal tax dollars. Since it doesn't cost the Federal Government anything more, we may not be focusing as closely on that additional cost or some other cost that we are requiring of the units of government that participate in this program.

Mr. **Jones**. I think Mr. Harrell indicated he could share some light for you right now.

Mr. **Harrell**. As far as information we collected in this assignment, we didn't specifically set out to identify costs associated with any particular objective.

However, for the two States where we conducted detailed work, North Carolina and Texas, we do have some cost data for specific objectives, specifically the removal objective. Those States have identified what it is going to cost them to meet this objective. We do have that information which we would be very happy to share with the subcommittee.

Mr. **Petri**. Good. We would like that.

Mr. **Jones**. What we will do is work very closely, as we have been, by the way, with Mr. Raley. We will get him whatever the subcommittee needs as expeditiously as we can.

Mr. **Petri**. Thank you.

Mr. **Jones**. Thank you.

Mr. **Petri**. The next witness is Judge Luke Quinn, representing the National Association of Counties, from Genesee County, MI.

Your Honor, welcome. We appreciate your coming to share your own and your association's testimony on this act with us.

[Prepared statement of Hon. Luke Quinn follows:]

PREPARED STATEMENT OF LUKE QUINN, PROBATE JUDGE, GENESEE COUNTY, MI, AND CHAIR, NATIONAL ASSOCIATION OF COUNTIES JUVENILE JUSTICE SUBCOMMITTEE, ON BEHALF OF THE NATIONAL ASSOCIATION OF COUNTIES, WASHINGTON, DC

Mr. Chairman and members of the subcommittee, I am Luke Quinn, probate judge from Genesee County, Flint, MI. In Michigan, probate judges handle juvenile cases, along with estate, adoption, marriage, and cases involving commitment of the mentally ill. I am also chair of the National Association of Counties.[1] Juvenile Justice Subcommittee, and I appear here today to present NACO's views on the reauthorization of the Juvenile Justice and Delinquency Prevention Act.

First, I want to congratulate you and your subcommittee for the outstanding and dedicated work you have done on behalf of our Nation's young people. Your efforts over the last 10 years with the Juvenile Justice Act have made a considerable contribution to the improvement of juvenile justice systems throughout the United States, and for this you deserve to be strongly commended.

REAUTHORIZATION OF JJDPA NECESSARY

If I could make only one point today, it would be this: The Juvenile Justice and Delinquency Prevention Act is invaluable to our Nation's youth, particularly those at risk or caught up in the juvenile justice system. And, this act must be reauthorized.

The legislation has been singlehandedly responsible for removing untold numbers of young people from detention who should not have been there in the first place. The formula grants program, which offers States a very modest amount of funding in exchange for compliance with the deinstitutionalization and removal mandates, is the key to the significant change in juvenile justice practices, and this framework must be retained. Without it, many more juveniles will be inappropriately detained, and we will lose the major source of Federal funds for innovation and change in the juvenile justice system.

When the Federal Juvenile Justice program first began, the opportunity for developing new programs allowed people—public officials and private citizens—to take a critical look at traditional juvenile justice practices, particularly incarcerating kids who committed no crime—status offenders. This examination and the incentive of Federal funding has resulted in States changing their laws to comply with the Juvenile Justice Act. Without Federal funding, an important catalyst for change would be lost. The funding and development of programs has made more people aware of the operations of the juvenile justice system and its alternatives. It has also brought wider community participation in the juvenile justice system. The results have been good for kids and good for the taxpayers.

An example of this can be seen in Genesee County. Using the Juvenile Justice Act as a dropback, the county significantly reduced the population in its 70-bed juvenile detention center. It got to a point where the county no longer needed the detention center. Through a joint effort, we divested ourselves of the center, which had been run by local judges, and turned the facility over to the State. This saves Genesee County taxpayers about $1 million per year. The detention center is now used as part of a statewide project to remove juveniles from adult jails and still is often not full.

COUNTY ROLE IN JUVENILE JUSTICE

Counties are key providers of criminal justice, juvenile justice, health care and social services, all of which play a role in a community's response to troubled youth and juvenile offenders. Counties also provide recreation, education, and employment services for young persons.

In the spring of 1983, the National Association of Counties Research, Inc., juvenile justice project conducted a survey of NACo member counties with 100,000-plus population to determine their top juvenile justice concerns. Of the 298 surveys sent, 145 were returned for a 49 percent response rate. One question asked was what juvenile programs or facilities the counties fund. Of the 145 questionnaire respondents, 139 listed at least one juvenile justice program that was funded by county government. (Most listed three or more programs.) Only one respondent reported that the county did not fund any juvenile justice programs and five respondents did not answer the question. Many of the respondents mentioned programs that received partial county funding, with the additional resources coming from Federal or State government or private agencies.

Some respondents included all types of county services, such as mental health or recreation programs, as juvenile justice programs. Other respondents listed only those programs that primarily served youth-at-risk or youth who have come in contact with the juvenile justice system, such as delinquency prevention programs, probation, detention facilities, and juvenile court.

---

[1] The National Association of Counties (NACo) is the only National organization representing county Government in the United States, through its membership, urban, suburban, and rural counties join together to build effective, responsive county Government. The goals of the organization are to: improve county Government; serve as the national spokesman for county Government; act as a liaison between the nation's counties and other levels of Government; achieve public understanding of the role of counties in the Federal system.

The survey found that, together with their broad juvenile justice responsibilities, county officials identified a wide range of needs for information, training, and technical assistance.

Of the 145 survey respondents, 107 ranked their top juvenile justice concerns. Lack of early detection and delinquency prevention programs was ranked as the top issue of concern by survey respondents. Limited resources for developing juvenile justice programs was second. Other frequently mentioned juvenile justice concerns were lack of alternative treatment programs, lack of community-based nonsecure placements, inadequate community awareness of juvenile justice issues, high or increasing serious juvenile crime rate, and inadequate training of law enforcement officers who deal with juveniles.

Delinquency prevention programming was the No. 1 information request among the 111 county officials who ranked them. Model treatment programs, secure detention facilities and residential treatment alternatives to secure detention were also ranked as top information needs.

In the area of technical assistance, respondents ranked planning and implementing programs for the serious juvenile offender as their greatest need. Assistance in planning and implementing alternative, diversion and prevention programs was another top request.

Respondents suggested 155 potential training topics. Training on delinquency prevention and diversion programs was most frequently requested, followed by program development, implementation and evaluation.

COUNTIES AND THE FEDERAL JUVENILE JUSTICE PROGRAM

The extensive involvement of county government in programs for youth has led NACo to vigorously support the Juvenile Justice and Delinquency Prevention Act since it was first proposed. In addition to the significant impact the legislation has had on deinstitutionalization, the Federal Juvenile Justice Program has provided funds to State and local governments with which to try promising programs in their jurisdictions. In fact, the Federal funding has had a multiplier effect by encouraging States to augment the Federal investment. Since the act was passed in 1974, there has been a substantial increase in the number of States that have established State subsidies for local juvenile justice programs, particularly those diverting juveniles from the formal juvenile justice system.

Without Federal funding many inovative programs would never have been attempted, either because of limited resources at the county l[illegible] because of resistance from some elements of the system. It has been true th[illegible] only reason certain counties established new juvenile justice programs was that Federal money was available for them. What the Federal money did was to allow them to learn that most of these experimental programs did improve their juvenile justice systems. Some counties have picked up the costs of every successful experimental juvenile justice project that was originally funded by OJJDP.

COMMENTS ON THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT AMENDMENTS OF 1984 (H.R. 4971)

NACo supports most of the amendments to the current Juvenile Justice Act that are contained in H.R. 4971. By clarifying many of its provisions, the proposed legislation makes it more likely that the intent of Congress will be carried out. We would like to comment on a few of the provisions:

1. Valid court order safeguards.—NACo has longstanding policy that detention pending court disposition should be reduced to a minimum. Thus, we opposed the 1980 valid court order amendment to the Juvenile Justice Act, because it could erode the progress that had been made in the deinstitutionalization of status offenders. Nevertheless, we support the definition of valid court order in section 104(5), because it includes safeguards to protect juveniles from overuse of this procedure.

2. Appointment of local elected officials.—NACo commends you for including local elected officials as one category of persons from whom national advisory committee members can be chosen. What James Girzone, Commissioner for Youth, Rensselaer County, NY testified before you 4 years ago still stands:

"Local elected officials and their counterparts at the State level allocate the resources to continue the programs and services this act funds initially. Without their input at the front end of program planning; without their concerns as to what the real problems of youth are; and without the capacity to have an ongoing dialog between elected officials and the youth serving community, there will be no long-term change in the system to benefit young people. Sustaining the alternatives to the juvenile justice system requires not only the cooperation of elected officials, but also their active participation in efforts designed to produce change."

3. State subsidies.—NACo welcomes the decision to retain subsidies as advanced practices under the Formula Grant Program and as one of the categories for funding under the discretionary grant program. The association has been a strong advocate of using Federal juvenile justice funds as incentives to States to establish juvenile justice subsidies to assist county governments in meeting the goals of the act. State subsidies benefit all levels of government: They expand the impact of Federal funding. In fact, according to the Academy for Contemporary problems, in 1980 State subsidies provided 2½ times more money than the Federal Government for programs that could be used as alternatives to the traditional juvenile justice system. For State governments, they help establish community-based alternatives to expensive State-run juvenile correctional facilities, while allowing the State to retain basic quality control. They also shift much of the responsibility for administering programs away from the States to community-based programs. For counties, subsidies offer funding for programs that will keep their young people who are at risk or in trouble in their own communities.

Mr. Chairman, NACo has long advocated that States expand their investment in alternative community programming. Indeed for many States such investments have produced long-term savings. The subsidy provisions provide added encouragement for these processes to occur.

4. Removing juveniles from adult jails.—NACo policy urges counties to remove juveniles from correctional facilities which detain accused or adjudicated adults, and we have been and continue to be strong supporters of the Juvenile Justice Act's provisions on removing juveniles from adult jails and lock-ups. At the same time, we support the 1984 amendment (section 207(a)(5)) to the jail removal provision that would give less populated counties more flexibility in complying with jail removal through 1989. We applaud the recognition that rural areas may have special problems in finding immediate alternatives to jails in their communities.

NACo is not alone in its support for removing juveniles from adult jails. We are joined by 38 other members of the national coalition for jail reform who support the consensus position. "No juveniles (under age 18) should be held in adult jails." Other coalition members include, but are not limited to, the American bar Association, American Correctional Association, National League of Cities, National Sheriffs Association, U.S. Conference of Mayors, National Center for State Courts, National Council on Crime and Delinquency and American Public Health Association.

In the February/March 1984 issue of the National Sheriff, NSA president Sheriff Richard J. Elrod, Cook County, IL, states in his "president's message": "The housing and mixing of juveniles with adults in our county jails and municipal lock-ups has been a situation which is universally recognized as injurious, not only to the individual youth but to society as a whole."

Sheriff Elrod also cites the well-known study of the Community Research Center of the University of Illinois that found the rate of juvenile suicides in adult jails to be eight times higher than those detained in separate secure juvenile detention centers and five times the rate of juveniles in the general population.

Elrod also points out, "Sometimes in an effort to separate juveniles, because of a lack of adequate facilities, jailers are forced to treat juveniles more severely than adults. In order to separate youths from adults by 'sight and sound,' " he says, "as has been the rule in many States, jailers are sometimes forced to put juveniles in the only space available such as solitary confinement or padded cells."

Elrod notes that sheriffs have a particular interest in this issue, because they are usually the managers of jails. In this role they face the financial dangers of lawsuits, if young people die or are harmed in jail, as well as a loss of Federal funds if they do not comply with the jail removal mandate. These considerations notwithstanding, he says, sheriffs "should be behind juvenile removal because it is the right thing to do."

Another group that recently came out in favor of jail removal is the Advisory Commission on Intergovernmental Relations. In its major study, Jails: Intergovernmental Dimensions of a Local Problem, ACIR stated, "The commission recommends that all States, after consultation with affected local governments, adopt guidelines (1) for removing, where practicable, juvenile, mentally ill and retarded, and publicly inebriated detainees from jails and (2) for ensuring in the future that people within these categories are not detained in jails."

5. Missing children assistance program.—At its January 1984 meeting, NACo's justice and public safety steering committee passed a resolution supporting a Federal missing children assistance program. The National Bureau of Missing Children that would be established in H.R. 4971 provides most of the services and programs NACo sees as necessary to assist missing children and their families. Where NACo's policy differs with the proposed bill is on the location of the program within the Federal Government. The Association believes that it should be placed in the Office of Juvenile Justice and Delinquency Prevention, Department of Justice, rather than in the Administration for Children, Youth and Families, Department of Health and Human Services, for the following reason:

The handling of missing children cases is primarily a law enforcement matter. Current Federal programs to address the missing children problem are located in the Department of Justice. They include the FBI's collection of information on missing children in its National Crime Information Center [NCIC] computer, the parental kidnaping prevention program handled by U.S. attorneys and the FBI. And the FBI's investigation of stranger abductions. Moreover, the local and State agencies that respond to initial missing children reports and would later coordinate with Federal agencies are police and sheriff's departments. Even in prevention, the expertise of law enforcement personnel is invaluable.

Thus, NACo recommends that the Missing Children Assistance Program be placed in the Office of Juvenile Justice and Delinquency Prevention.

CONCLUSION

In conclusion, I would like to repeat my thanks for the opportunity to testify before you today on this important legislation. I would also like to reiterate what I consider to be my most important point; namely, that retention of the framework of the Juvenile Justice and Delinquency Prevention Act is the most important task before us. While NACo would like to see the changes and additions we noted today, continuation of the act is our top priority.

I would be pleased to answer any questions.

STATEMENT OF HON. LUKE QUINN, PROBATE JUDGE, GENESEE COUNTY, MI, REPRESENTING THE NATIONAL ASSOCIATION OF COUNTIES, ACCOMPANIED BY DONALD MURRAY, LEGISLATIVE REPRESENTATIVE, NATIONAL ASSOCIATION OF COUNTIES

Judge QUINN. Thank you very much, Congressman Petri, for providing me with the opportunity of being here.

With me is Mr. Don Murray, who is the legislative representative of NACo.

I might just tell you, Congressman, just a bit about me. You know that I am from Genesee County, MI. You may have some curiousity why a probate judge would be here testifying about matters that relate to juveniles. In the State of Michigan, the juvenile court happens to be located within the probate court. Our county is a county of roughly one-half million, and we are a three-judge court.

I am also a chairman—chairperson, if you will—of the National Association of Counties' Juvenile Justice Subcommittee, and the views that I am presenting here today, unless I otherwise state it, are those of the National Association of Counties.

Mr. PETRI. I should say your full statement will appear in the record of the proceedings of this subcommittee, and you may proceed as you wish.

Judge QUINN. Yes. I intend to just sort of highlight that.

If I were to be limited to a single point, it would be that NACo strongly urges the reauthorization of this act. I feel personally, and NACo, I know, shares this, that it has been an extremely successful act over the years.

I think that it has prevented the needless incarceration of hundreds of thousands of children. This has come about, I believe, because it has caused people within the system to think about what they are doing, to rethink what they are doing. It has provided funds for creative and innovative programs, and it has brought new people into the system who have had some new ideas as to what should be happening to our children.

To sort of recount a sort of personal experience with you, I will tell you that, when I became a probate judge almost 14 years ago, in our county we were locking up hundreds of children who we conveniently called status offenders. In 1973, for example, nearly 800 children were locked up in our jail for running away from home.

We were even sending kids in the State of Michigan out of the country in the early 1970's. From our county alone, we sent eight children—some people said we exiled eight children—to the country of Haiti who were status offenders. We actually had children in runaway status in the wilds of Haiti in the early 1970's.

The mode of treatment down there was what some called cultural disorientation. The way that was supposed to work is, if you sent a child away from home into a strange environment, culturally and economically deprived, after a few weeks, they would become disoriented and, thus, more malleable or amenable to treatment. I think that, during the Korean war, that was referred to as brainwashing, but for the 1970's, we had upgraded it to cultural disorientation.

I was part of that process, sending these kids from their homes into our juvenile jail and, as I said, occasionally out of the country.

Then we had in 1974, as you well know, the Juvenile Justice Act passed. This forced us to start thinking about what we were doing to our children. And being good bureaucrats, one of the first things we did was to form a committee to see if we could somehow comply with the provisions of the act and do things differently. We had representatives from the school system, from the police, the court, the Department of Social Services, and other interested citizens.

One young man came up with the notion that maybe we ought to apply for a grant from the Office of Juvenile Justice and Delinquency Prevention, and maybe we could come up with a program using the YMCA to house the children that we were locking up. He came up with the acronym REACH, which is an acronym for runaway emergency action hotline. And, lo and behold, we received funding for a period of 3 years.

We were never able to use the Y, but we started out with caseworkers assigned to that program and a network of foster homes operating on a 24-hour basis. If the police picked up a kid running away from home, all he had to do was to call REACH, they could go get the youngster, place him, and try to reunite him with his family.

This worked pretty well. But we were still locking up several hundred runaway kids a year. This program was implemented in 1976 and, still in 1977, we were locking up several hundred runaways because many people involved with the process felt that that was really what these kids needed, a good day or two in the slammer, and that would straighten everything out and they would go forth and sin no more.

Finally, we got the case that I call the straw that broke the camel's back. To sort of paraphrase the police report for you, it involved a young man, age 16, 6 feet 2 inches tall, weighed 190 pounds, and he appeared to be a good student. It said the problem is his mother told him that he could go live with some friends, which is what he wanted to do. When she found out she could no longer get the social security check, she asked him to come back home, and he didn't want to come home.

So the police went to his classroom at 11 o'clock in the morning and they arrested him. They took him out of there, and they took him downtown, and fingerprinted him, and they booked him, and they held him for a hearing that afternoon before the juvenile court.

When that was brought to the attention of the judges, we met, and we felt that the only way we could absolutely stop this sort of insanity was to forbid the locking up of this type of youngster in the future. We implemented a policy that we got some pretty strong responses from many in the law enforcement community.

I got one letter from a high police official who told me that I was really not meeting my responsibility to my constituency and, moreover, I was really letting these children down because they needed to be locked up for their own protection.

I am proud to say that we hung tough in that decision, and we stopped locking up that type of youngster, stopped it altogether. We made REACH our agent for handling all those cases.

Last year, we locked up zero kids for running away from home. All those dire predictions that have been made as a result of doing that just did not come to pass. The city of Flint still stands, the county is operational, and kids have not left home en masse, as everybody predicted would happen.

The REACH program is still operating fine, and without any Federal funds whatsoever. After 3 years, the program was so successful in the eyes of everybody, the State, the Mott Foundation which we were very fortunate to have in our community, the United Way and some private donators came up with the money to keep the program in operation, and it is still in operation today. It is extremely successful.

Last year it had over 2,000 contacts, serviced nearly 500 families, and placed 330 children. The average stay was less than 5 days, and 85 percent of those kids went home; 85 percent of them were successfully reunited with their families.

I think that is eloquent testimony to how successful these programs can be if those involved will give them a chance to work.

Let me just say that NACo supports most of the amendments to the current Juvenile Justice Act. I just have a few comments that I would like to make in that regard.

On the valid court order, I will say that NACo opposed the valid court order amendment in the first place. But it is now a fact in being, and we think it is going to continue as a part of the act. We believe that the proposed amendments will tighten up the safeguards and prevent the overuse of that amendment and, therefore, we support it today very much.

We feel that the inclusion of local elected officials as a category of person to be appointed to the National Advisory Committee is a very good addition.

NACo welcomes the decision to retain State subsidies as advanced practices under the Formula Grant Program as one of the categories for funding under the discretionary grants program.

NACo has been and continues to be a strong supporter of the removal from adult jails provision. I know and NACo acknowledges the fact that some of the smaller counties have a real problem and we, therefore, support the amendment to extend special consideration to those counties. But I sincerely believe that those counties are going to have to make a greater effort to control that jail population. I believe it is in the best intersts of children and, in the long run, I think it is in the best interest of county government.

We are seeing now what I think is just the first wave of lawsuits that are going to be filed against county governments for what is happening to children in those county jails. I don't have to detail for you gentlemen the horror stories that really abound. We all know that a juvenile is more likely to commit suicide in jail than in any other place. For many youngsters who are sentenced to jail, it is, in effect, a sentence to death. I think that is really unfortunate.

I do personally believe that jail is being very much overused throughout this country as far as young people are concerned. In our county of half a million, we jail two or three youngsters on an average of a year. To my knowledge, we jailed in our county two youngsters, and they were two young men who allegedly killed a police officer.

I might just point out that one of those young men had spent some time in a smaller county jail in Michigan, and had been placed in that small county jail for an offense he had committed there. We had his probation officer come down and testify at his hearing. He shook his head, and he said he just couldn't understand it because that boy, when he got out of that county jail, said he really learned his lesson. I thought, yes, he learned it so well he came into our county and shot a police officer seven times.

So I think the jail is highly overrated. I don't think it does kids any good and, ultimately, I don't think it does society any good. I think these youngsters, who are only there for about a very short time, by the way, many of them come out much angrier and much more hostile then they were when they entered, and a lot of them are intent on getting even. I think that we need to come to that realization.

NACo has come pretty good company in taking their position on the jail removal question, such as the National Sheriffs Association. Isn't that remarkable that the people responsible for running the jails believe that juveniles do not belong there?

I was really impressed with Sheriff Elrod's article recently, who is the president of the National Sheriffs Association. He talked about all of the reasons for removing kids from jail. He finally concluded by saying that it is the right thing to do. I subscribe to that wholeheartedly.

Mr. ANDREWS. Thank you.

I believe you are from Congressman Kildee's district; is that correct?

Judge QUINN. I am, indeed, sir.

Mr. ANDREWS. Then I am certainly going to recognize Congressman Kildee first to commend his constituent.

Mr. KILDEE. Thank you, Mr. Chairman.

As a member of the full committee and as a former of this subcommittee, I appreciate the chance to welcome Judge Luke Quinn before this subcommittee.

Judge Quinn has a nationwide reputation in the area of juvenile justice, and was very, very helpful to me during the last reauthorization of this bill on trying to secure the proper treatment of status offenders at that time under this bill. We went to the floor with the bill in good shape, Mr. Chairman, thanks to your help, but we suffered some problems there on the floor.

Judge Quinn is a person I turn to as one who has both the right head and the right heart in dealing with young people. I think that is very important that we use our heads and our hearts both. That combination has been well put together in Judge Quinn.

I welcome him to this subcommittee. I have no questions of him today. I question him rather regularly, and he has always provided very good answers for me.

Thank you, Mr. Chairman.

Mr. ANDREWS. Thank you, Mr. Kildee.

Mr. PETRI. I have no real questions, except for one thing on this facility in Genesee County.

You save the county taxpayers $1 million a year, but presumably someone is still paying the bills for the facility, so it now is costing the State taxpayers $1 million a year.

Judge QUINN. But it is serving a much larger area. I didn't make that point at the time.

We, the three judges—which is another story in and of itself—operated this juvenile detention facility, juvenile jail, if you will. It was a 72-bed facility, and we mostly kept if filled. But after this act was enacted and we got into the business of doing these other things for children, we found that we no longer had the need for this large facility. We turned it over to the State, and the State started out by servicing our county and eight others. Now it serves the entire State of Michigan. So it is serving the State as opposed to one county. We average less than 10 children in detention at this time.

Mr. PETRI. So now a kid is sent from the Upper Peninsula down to Genesee County if they are held in detention?

Judge QUINN. Yes, sir; the attachment area extends throughout the State of Michigan. We have children from all over the State. The department of social services also uses it. Sometimes it is not filled even so.

Mr. PETRI. Thank you.

Mr. ANDREWS. Thank you very much for bringing us the benefit of your experiences in Michigan. We are very appreciative.

Judge QUINN. Thank you very much.

Mr. PETRI. Mr. Chairman, I have a letter from another judge in Michigan, Marquette County, also in support of this bill. He is a colleague of yours, Michael Anderegg, the son of the next witness.

I wonder if that could be entered in the record at this time.

Mr. ANDREWS. Of course.

Judge QUINN. I just met his mother.

Mr. PETRI. Thank you very much.

Mr. ANDREWS. Without objection, on the motion of Mr. Petri, the letter will be entered into the record.

[The letter of Judge Anderegg follows:]

MARQUETTE COUNTY PROBATE & JUVENILE COURT,
Marquette, MI, March 5, 1984.

Mr. ED LARSON,
Staff Counsel, House Education and Labor Committee,
Washington, DC.

DEAR MR. LARSON: I am writing to follow up our recent discussion regarding the proposed amendment of the anti-jailing sections of the Juvenile Justice Delinquency Prevention Act of 1974.

As I told you, I am the Probate and Juvenile Judge for Marquette County, Michigan, a county of some 1,573 square miles and 76,000 people located in the Upper Peninsula. I have held this office for a little over seven years. I am also president of the Upper Peninsula Probate Judges Association. The Association consists of fourteen Judges serving a population of slightly more than 300,000 people.

The Upper Peninsula receives about $35,000 annually in DDP money. It is used to fund diversion projects for status offenders. Federal funds are also used to pay for in-home detention and transportation of juveniles to and from secure detention.

Juveniles in need of detention in the Upper Peninsula are currently lodged in in-home detention, in a twelve bed non-secure family type youth home in Marquette, or in county jails. Michigan law allows a judge to order a juvenile placed in jail for a period not to exceed thirty days provided the juvenile is at least fifteen years old and is lodged separate and apart from adult prisoners. According to the Juvenile Court Rules. juveniles must be kept out of sight and hearing of adult prisoners to the extent practicable.

If jailing were prohibits even to the extent of the de minimis provisions of the current JUDPA, juveniles who could not be held in in-home detention or the Marquette County Youth Home would have to be sent to secure detention in the lower peninsula. The nearest secure detention facility is in Bay City, 347 miles away. The next frequently used secure detention facility, and the only facility currently operated by the Michigan Department of Social Services is located in Flint, Michigan, which is 415 miles from Marquette and 536 miles from Bessener, the county seal of Gogebic County.

I understand and agree completely with the principles of placing a child in the least restrictive form of treatment appropriate to his or her needs, and the principle of rehabilitation, rather than retribution, as the primary purpose of the juvenile court. However, I and I think many other similarly situated, do not believe that placing a juvenile in and adult jail facility is such a consummate evil that it should be prevented at all costs. I believe juveniles should be kept separate and apart from adults and should be closely monitored to prevent self-harm. On the other hand, assuming these safeguards are provided, it does not make sense to me to send a child 400-500 miles from his family, friends, or attorney, just so that we can say we have avoided whatever stigma attaches to being in the same building used to lodge adults.

Congressman Petri's proposed amendments to the JJDPA, allowing a 24-hour jail placement for any non-status offense, are a commendable effort to bring common sense to bear on existing Federal requirements that have little relationship to reality. Without amendments like this, I believe you will find that many states will simply elect not to take JJDP funds. I think that would be unfortunate because these monies pay for innovative programs that would otherwise be unavailable especially in rural areas.

If anything, the proposed amendments do not go far enough. I believe jailing of non-status offenders for up to thirty days while awaiting court hearings or dispositional placements should be available if the juvenile judge makes a finding that good cause exists. I believe a judge should also be given the authority to jail a juvenile who repeatedly runs away from court-ordered placements, provided no secure detention facility is available within 100 miles of the court.

My colleagues and I thank you and Congressman Petri for your interest in this difficult and sensitive issue. If I can furnish you or the committee with any additional information, please feel free to contact me.

Sincerely yours,

MICHAEL J. ANDEREGG, *Probate Judge.*

Mr. ANDREWS. I believe the next witness is from the district of my colleague, Mr. Petri. So I will defer to him.

Mr. PETRI. Thank you.

I would like to call Mrs. Anita Anderegg, county executive of Fond du Lac County, WI, to testify. I would introduce her to you, Mr. Chairman and staff.

I have had the pleasure of working with and admiring the job that County Executive Anderegg does, and has done for many years. She is a very, very conscientious citizen. If everyone took their responsibilities as serious as she does, we wouldn't have as much to do here.

So I am happy you are here as a taxpayer and as a representative. I appreciate the time you spent studying this bill and relating your own hands-on administrative experience to it, and coming out here at your own expense to share that with us.

[Prepared statement of Hon. M. Anita Anderegg follows:]

PREPARED STATEMENT OF HON. M. ANITA ANDEREGG, COUNTY EXECUTIVE, OFFICE OF THE COUNTY EXECUTIVE, FOND DU LAC, WI

Chairman Andrews, and members of the committee, I am County Executive of Fond du Lac County, Wisconsin. Our County has 89,000 people and is the 13th largest County in the state, so I am sure that my testimony will apply to many other counties in Wisconsin. I am here at my own expense to try to make you aware of the problems this legislation will create throughout most of the smaller counties in this country.

The area of Fond du Lac County is 725 square miles. Our population density is 123 persons per square mile. The proposed population density exclusion of 100 will not exempt us from the requirement that there must be total separation of adults and juveniles in secure detention facilities, including a totally separate staff.

We are opposed to the jail removal mandate of Section 223 (a)(14) of the Juvenile Justice and Delinquency Prevention Act because we simply cannot afford to fund a totally separate facility. That separation would cost us $250,000 per year just to staff, without including any salaries for the required teachers, social workers, and recreational officers. We have an average of two juveniles per day in our jail. They are presently separated from adult prisoners, but are supervised by the staff which supervises the adults. All of our Correctional officers have received some training in juvenile detention and will receive additional training this year.

The program we have in place already divert first time status offenders. We have reduced the number of juveniles confined in jail by over fifty percent since 1978. When a juvenile is taken into custody in our County, he or she is taken to juvenile Intake (annual budget $80,820) for screening. We maintain 24 hour, seven day coverage in this program.

The first time status offenders are sent to the Shelter Care facility (annual budget $100,000) or to a social services receiving home or released to the custody of the parents, if that is appropriate. Repeated or serious offenders go to jail for generally short periods of time until a court appearance. In 1983 we detained 147 juveniles in jail. Seventy of those juveniles were held in jail less than 24 hours. Sixteen happened to be taken into custody on a weekend and appeared in court on Monday.

The County also operates a group home for adjudicated delinquent boys, (annual budget $100,000). The establishment of that home was not accomplished without considerable political cost to the County supervisors who supported it, and for me. Some of the supervisors who supported it failed to be reelected because of that single issue. A petition was circulated for my recall. The home has been in operation for two years without incident and serves as an alternate to incarceration in the state institution for juveniles at Lincoln Hills. We believe that there is a great deal to be gained by keeping the juvenile and his family as close together as possible so that we can help them work out their family problems. There is an additional advantage in not exposing the juveniles to the graduate course in delinquency they get from their peers at Lincoln Hills.

We also operate a Juvenile Restitution program (annual budget, $50,000) so that juvenile offenders have an opportunity to earn the money to repay the victims of their crimes.

It is important to recognize that the statistics you are given on juvenile detention in jails that refer to violations of non-secure custody do not reflect an accurate picture. A juvenile with a prior record of charges that would be misdemeanor or felony charges for adults, who is currently in non-secure custody, and violates that non-secure custody, will be brought into court on a charge of violating his non-secure custody status. We are often dealing with a great deal more than a juvenile who has run away, and the judge must take that into account in the disposition of the case.

Nineteen of the juveniles we held in jail last year were held for crimes that would be felonies if they had been committed by adults. Two sixteen year olds were in for murder. One was convicted of murdering a woman who had been a witness in a previous court appearance which had resulted in his serving a term at Lincoln Hills. The boy had been placed in foster care when he was relesed; he obviously needed a higher level of supervision than he was given. The other was convicted of killing three members of his family and attempting to kill a fourth. One was housed in our jail for a year while his attorneys fought his waiver to adult status for the crime. The other also had a protracted stay in our County jail while his attorneys appealed his waiver. These two cases accounted for over one half of our juvenile days in jail last year.

You should be similarly cautious with statistics comparing juvenile suicides in jail with adult suicides in jail. It might be more appropriate to compare the percentage rate of juveniles who commit suicide in jail with the percentage rate of juveniles in the total population who commit suicide. The suicide rate for juveniles in general has tripled in the last 20 years. Mental health professionals attribute this increase at least partially to the availability of drugs.

I have reviewed the statistics provided by the Juvenile Justice and Delinquency Prevention Office on comparative costs of operation of separate juvenile facilities with the costs of remodeling adult facilities in order to provide separation for the juveniles from the adults. You should be aware that their cost assumptions include "an average cost of $41,500 per bed, for renovation/construction *amortized over a five-year period*". The OJJDP's calculations [1] also include the highly subjective "cost of probable incidences of recidivism," as well as "the average direct out-of-pocket costs to citizens by type of offense".

Considering the selection of the statistics used for their calculations, their conclusion was probably inescapable: "that jail removal can be expected to save tax-payers nearly $121 million every two years over the current jailing practice." I do not tolerate that kind of arithmatic when I put the County budget together. Perhaps the fact that we deal with smaller numbers tends to make them more reliable. Both the eight bed Shelter Care facility that we operate and seven bed group home we operate, cost an average of $18 to $20 more per day than it costs to operate the County jail, because of the economies of scale we are able to achieve in the larger operation.

If you would sponsor amendments to Section 223(a)(14) that would be something similar to the following, I think that counties like ours could comply:

"While in the jail, juveniles shall be kept out of physical contact with adult inmates at all times, including during booking. Juveniles shall be housed out of sight of adult inmates, and shall be sound separated to the extent practicable. When out of their cellblocks in the jail, or while being transported, juveniles shall be kept out of contact, sight and sound of adult inmates to the extent reasonably possible."

Instead of a completely separate staff, including administrative, as the Federal Register mandates, we suggest that correctional officers in charge of the adult prisoners have additional required training in caring for juveniles in secure detention. We are already doing this. The state code allowed us to "grandfather" in presently employed correctional officers who had not received the required training. We have chosen not to take advantage of the "grandfather" clause. Every officer has to have at least the required hours of training, and we continue to add to the training each year.

The suggestion has been made that we try to establish regional juvenile detention centers. In order to make such a center economically feasible to operate, several counties would have to be involved. The distances one would have to travel in order to bring someone back for a court appearance would take a considerable amount of staff time/travel time which is certainly part of the cost. I am afraid that the time and cost would encourage underutilization of the facility, and result in making the daily rate prohibitive. If the juveniles are not detained and do not show up for the court appearance, we have to go looking for them—again.

Certainly the people we all represent expect us to thoroughly investigate the cost/benefit ratios of the programs for which we levy taxes. It is my opinion that neither the costs, nor the purported benefits have been presented realistically—at least for Fond du Lac County. We think that what we have is superior to what your separation mandate would force upon us. We respectfully urge that you either amend the legislation as we have suggested, or refuse to recommend it.

I have been requested by the Wisconsin Counties Association to add their letter to the Wisconsin Congressional Delegation opposing this bill to my testimony. (copy attached)

Thank you.

---

[1] Costs of jailing juveniles attached.

69

However, one only has to look at the data that shows the types of offenses for which children are being jailed to see that most of these children do not require secure confinement. Their offenses are not generally serious enough to warrant secure confinement in order to protect society.

Based upon information from the 1977 Massachusetts Task Force on Secure Facilities, the National Council on Crime and Delinquency, the U.S Children's Bureau, and the National Center for Juvenile Justice, it is estimated that only 10 percent of those persons under 18 alleged to have committed an offense would require secure detention prior to adjudication.

The Children's Defense Fund visited 449 jails and lock-ups in a nine-state area in 1976 and found that, of the total number of children held in those jails on the day visited, 43.4 percent were under the age of 15. This survey also found that only 11.7 percent of the children found in jail were charged with serious offenses against persons. The rest, 88.3 percent, were charged with property or other minor offenses. Of the 88.3 percent, 17.9 percent of the jailed children had committed only "status offenses." An additional 4.3 percent had committed no offense at all.

Looking at the Children's Defense Fund statistics, one can see that approximately 11.7 percent of the children found in jail were charged with serious offenses against persons. It is logical to assume that these children require secure detention. The remaining percentage, 88.3 percent, is made up of children who have committed property and other minor offenses (66.1 percent) and status and non-offenses (22.2 percent), all of whom could be detained in alternative, non-secure settings.

Costs of Jailing Juveniles

The 1980 amendments to the Juvenile Justice and Delinquency Prevention Act (JJDPA) dealt with the problems associated with detaining children in jails and lock-ups by requiring each state participating in the JJDPA Formula Grant Program to plan for and ultimately achieve complete removal of all children from such facilities. If, in trying to carry out this requirement, states attempted to build new secure facilities for these juveniles, the costs would be staggering. However, such a response is not necessary.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has analyzed the relative cost of detaining juveniles in jails, with and without appropriate separation from adults, and that of total removal of juveniles from jails and lock-ups.

In August of 1980, the Community Research Center of the University of Illinois estimated that, in 1978, there were approximately 479,906 persons under the age of 18 in adult jails and lock-ups. The average daily cost of holding these children in such facilities, according to the estimates of the American Justice Institute, is $24 per day, with an average length of stay per child of six days. The annual cost of holding these juveniles would therefore have been approximately $69,106,752.00.

The American Justice Institute has developed a formula for determining "per day" jailing costs if all children being held were provided adequate sight and sound separation from adults being held in these facilities. This formula incorporates an average cost of $41,300.00 per bed for renovation/construction amortized over a five-year period. These renovation/construction costs add approximately $23.90 each day to the regular daily per diem rate for jail. Using this new per diem rate of $47.90, the annual cost for continuing to jail 479,906 children annually, as well as providing separation for that 90 percent of the population of juveniles now being held in regular contact with adults, is calculated to be [illegible].

The OJJDP's calculations of the per diem costs of jail removal assume that 88.3 percent of the 479,906 children in jail can be removed to non-secure settings and that one half of this 88.3 percent can be placed in home detention (per estimates of the Community Research Center). It is further assumed that the 11.7 percent who require some form of secure care can be placed in already existing juvenile detention facilities either by filling vacancies provided by the removal of status and non-offenders from secure juvenile detention facilities or by transportation to the closest available secure setting. It should be noted that the American Justice Institute and others have used a 90 percent non-secure/10 percent secure placement breakdown in calculating relative costs of jail removal. Thus our calculation, based on 88.3 percent non-secure placement/11.7 percent secure placement, produces a more conservative estimate of cost savings.

While the average length of stay of juveniles in jails and non-secure settings is six days, the average length of stay for juveniles placed in secure juvenile detention facilities is 12 days. Also significant is the fact that the average per diem rate for secure juvenile detention facilities is $61.00, compared to $14.00 for home detention, $19.00 for group homes, and $24.00 for jails. The fact that approximately 11.7 percent of the children removed from jail would likely be placed in secure detention facilities could bring the total annual operating cost for detaining juveniles in facilities other than jails to $81,791,930.00, which is 15 percent higher than the cost of jailing children without separation.

Other Costs — Recidivism

However, mere "per diem", or operating costs, are only one aspect of what it costs citizens to detain juveniles. Recidivism rates, which are the rates of rearrest of juveniles for new offenses, are higher for children detained in jails than for any other type of juvenile care. It would be easy to assume that children placed in jails are more serious offenders or have more extensive prior records than children placed in other secure or non-secure settings, thus making higher recidivism rate more likely. However, that rationale does not hold up. As it has already been noted, approximately 88.3 percent of the children found in jails and lock-ups are there for property or other minor offenses. 43.3 percent of the children found in jails have no known prior court contacts. Perhaps, then, a better explanation for the high recidivism rates which jails produce is that jails have a negative im-

FILMED FROM
BEST COPY AVAILABLE

pact upon the self-esteem and the law-abiding instincts of children.

It is important that the recidivism rates of jails and other placement options be included in a calculation of the relative costs of jail removal, for these rates have an impact upon the future cost to society that this jailed population of 479,000 children incur. High recidivism rates mean high future costs not only in terms of the per day cost of detention but also in terms of the direct, out-of-pocket costs to citizens that these future crimes levy.

When recidivism factors are included in cost calculations of all three types of policy alternatives for dealing with the problems associated with children in jails, complete removal is the most cost-effective approach.

The [illegible] of the total cost of jailing and unjailing children includes not only daily operating costs, but also the additional costs which will be incurred as a result of [illegible]. These calculations are based upon average recidivism rates per [illegible] placement option as well as the average direct out-of-pocket costs to citizens by type of offense. [illegible] recidivism rates and the average direct costs for [illegible] types of [illegible] have been established by [illegible].

These calculations produce the following annual detention costs plus additional direct costs for three types of detention policies:

- Current practice of jailing children without complete separation	$1,141,919,877.00
- Jailing children with complete separation	$1,260,210,919.00
- Removing all children from jails	$1,020,963,794.00

These figures show that jail removal is not the most costly way of addressing the harmful effects of detaining children in jails. In fact, jail removal can be expected to save taxpayers nearly $121 million every two years over the current jailing practice.

Police Role

The jailing of children is harmful to both children and society. It imposes costly human and economic waste. The high suicide and recidivism rates produced by jails provide sufficient evidence. But even though the jailing of children is an obvious and disturbing problem, it is not an easy one to solve. Statutory changes are required in many states. In other states, where laws have been enacted prohibiting the placement of juveniles in jails, the law needs to be upheld in practice. This requires constant vigilance by court personnel, police, and citizens. Each has a role to play and must actively share the responsibility of finding other, more suitable, placements for children.

Police are most often the first contacts that juveniles have with the system. An arresting officer is a major determinant of the type of charge that is filed, whether or not a juvenile is detained, and the type of detention facility in which the juvenile is placed.

Police departments should review their administrative procedures and revise them when necessary to insure that juveniles are not subjected to unwarranted detention and jailing. Except in those cases where specific and objective detention criteria are met, efforts to avoid the formal processing and detention of children should be supported. Such a policy spares children from needless damage and allows the system to focus its limited resources on those juveniles who have committed serious offenses and pose a threat to society.

> *"Police departments should review their administrative procedures and revise them when necessary to insure that juveniles are not subjected to unwarranted detention and jailing."*

Police departments can be advocates for the rights of children. The police officer is keenly aware when his or her jurisdiction lacks sufficient placement options which provide alternatives to jail. Departments should be active in identifying placement needs and work collaboratively with public and private agencies to see that they are established. Police can also work with the courts to maintain a system of 24-hour intake so that they are not faced with the need to detain children in jails pending the availability of court personnel.

Let's face it. Children in jails and lock-ups present enormous operational problems for the administrators of these facilities. Police departments that do not want children in their jails must let that fact be known. More attention needs to be focused on the harmful effects of jailing children. When the public is not aware of the tragedies that jailed children suffer, public clamor and support for jail reform cannot be expected.

The OJJDP has given the removal of children from adult jails and lock-ups a high priority because of the urgent need to find more suitable and safe placements for children. The Office provides both financial and planning assistance to any state or local jurisdiction that requests it. Reform of detention practices is not the sole responsibility of the courts. The police have a major role to play and can have a significant impact upon the futures of our nation's children. ■

Reproduced from the Police Chief magazine, March 1987 issue with the permission of the International Association of Chiefs of Police.

FILMED FROM
BEST COPY AVAILABLE

STATEMENT OF HON. M. ANITA ANDEREGG, COUNTY EXECUTIVE, FOND DU LAC COUNTY, FOND DU LAC, WI

Ms. ANDEREGG. Thank you very much. I am really pleased to be here to share the experience of those of us who are in the front lines, who have to provide the money when we don't get enough from the State and the Federal Government, and to tell you what some of these Federal mandates cost us.

I filed a copy of my testimony with you before I realized that we were going to be excluded by your latest amendment. I want to thank you for excluding us, because it is not very practical. I would like to testify for the suggestions that I made anyway, because I think that we could sort of include ourselves in many of the goals that you have, if you will modify that total jail removal and total separate administrative staff along the lines that I am recommending.

So, with your permission, I will go ahead.

We are opposed to the jail removal mandate of the Juvenile Justice and Delinquency Prevention Act because we simply cannot afford to find a totally separate facility. That separation would cost us $250,000 per year just to staff, without including any salaries for the required teachers, social workers, and recreational officers. We have an average of two juveniles per day in our jail. They are presently separated from adult prisoners, but are supervised by the staff which supervises the adults. All of our correctional officers have received some training in juvenile detention, and will receive additional training this year.

The programs we have in place already divert first-time status offenders. We have reduced the number of juveniles confined in jail by over 50 percent since 1978. When a juvenile is taken into custody in our county, he or she is taken to juvenile intake—annual budget $80,000—for screening. We maintain 24-hour, 7-day coverage in this program.

The first time status offenders are sent to the shelter care facility—annual budget $100,000—or to a social services receiving home or released to the custody of the parents, if that is appropriate. Repeated or serious offenders go to jail for generally short periods of time until a court appearance. In 1983 we detained 147 juveniles in jail. Seventy of those juveniles were held in jail less than 24 hours. Sixteen happened to be taken into custody on a weekend and appeared in court on Monday.

The county also operates for adjudicated delinquent boys—annual budget $100,000. The establishment of that home was not accomplished without considerable political cost to the county supervisors who supported it and for me. Some of the supervisors who supported it failed to be reelected because of that single issue.

The home has been in operation for 2 years without incident, and serves as an alternate to incarceration in the State institution for juveniles at Lincoln Hills. We believe that there is a great deal to be gained by keeping the juvenile and his family as close together as possible so that we can help them work out their family problems. There is an additional advantage in not exposing those juveniles to the graduate course in delinquency they get from their peers at Lincoln Hills.

We also operate a juvenile restitution program—annual budget $50,000—so that juvenile offenders have an opportunity to earn the money to repay the victims of their crimes.

It is important to recognize that the statistics that you are given on juvenile detention in jails that refer to violations of nonsecure custody do not reflect any accurate picture. A juvenile with a prior record of charges that would be misemeanor or felony charges for adults, who is currently in nonsecure custody, and violates that custody, will be brought into court on a charge of violating his nonsecure custody status. He isn't an original runaway. We are often dealing with a great deal more than a juvenile who has run away, and the judge must take that into account in the disposition of the case; 19 of the juveniles we held last year were held for crimes that would be felonies if they had been committed by adults. Two 16-year-olds were in for murder. One was convicted of murdering a woman who had been a witness in a previous court appearance which had resulted in his serving a term at Lincoln Hills. The boy had been placed in foster care when he was released. He obviously needed a higher level of supervision than he was given. The other was convicted of killing three members of his family and attempting to kill a fourth. One was housed in our jail for 1 year while his attorneys fought his waiver to adult status for the crime. The other also had a protected stay in our county jail while his attorneys appealed his waiver. These two cases accounted for over one-half of our juvenile days in jail last year. We had 813 days, and over 400 were taken up by these two murder cases.

You should be similarly cautious with statistics comparing juvenile suicides in jail with adult suicides in jail. It might be more appropriate to compare the percentage rate of juveniles who commit suicide in jail with the percentage rate of juveniles in the total population who commit suicide. The suicide rate for juveniles in general has tripled in the last 20 years. Mental health professionals attribute this increase at least partially to the availability of drugs.

I have reviewed the statistics provided by Juvenile Justice and Delinquency Prevention Office on comparative costs of operation of separate juvenile facilities with the costs of remodeling adult facilities in order to provide separation for the juveniles from the adults. You should be aware that their cost assumptions include an average cost of $41,500 per bed, for renovation/construction, and they amortize it over a 5-year period. The office's calculations also include the highly subjective cost of probable incidences of recidivism, as well as the average direct out-of-pocket costs to citizens by type of offense.

Considering the selection of the statistics used for their calculations, their conclusion was probably inescapable: "That jail removal can be expected to save taxpayers nearly $121 million every 2 years over the current jailing practices." I do not tolerate that kind of arithmetic when I put the county budget together. Perhaps the fact that we deal with smaller numbers tends to make them more reliable. Both the eight-bed shelter care facility that we operate and the seven-bed group home we operate cost an average of $18 to $20 more per day than it costs to operate the county jail, because of the economies of scale we are able to achieve in the larger operation.

If you would sponsor amendments to that section that would be something, I think that many counties like ours could comply:

> While in the jail, juveniles shall be kept out of physical contact with adult inmates at all times, including during booking. Juveniles shall be housed out of sight of adult inmates, and shall be sound separated to the extent practicable. When out of their cellblocks in the jail, or while being transported, juveniles shall be kept out of contact, sight and sound of adult inmates to the extent reasonably possible.

Instead of a completely separate staff or a completely separate facility, including administrative staff, as the Federal Register now mandates, we suggest that correctional officers in charge of the adult prisoners have additional required training in caring for juveniles in secure detention. We are already doing this. The State Code allowed us to grandfather in presently employed correctional officers who had not received the required training. We have chosen not to take advantage of the grandfather clause. Every officer has to have at least the required hours of training, and we continue to add to the training each year.

The suggestion has been made that we try to establish regional juvenile detention centers. In order to make such a center economically feasible to operate, several counties would have to be involved. I think Judge Quinn told you that the entire State of Michigan was involved in their secure detention facility, and I understand that the daily rate there is something between $123 and $140 per day.

The distances one would have to travel in order to bring someone back for a court appearance would take a considerable amount of staff time/travel time, which is certainly part of the cost. I am afraid that the time and cost would encourage underutilization of the facility and result in making the daily rate prohibitive. If the juveniles are not detained and do not show up for the court appearance, we have to go looking for them—again.

Certainly the people we all represent expect us to thoroughly investigate the cost/benefit ratios of the programs for which we levy taxes. It is my opinion that neither the costs nor the purported benefits have been presented realistically, at least for Fond du Lac County. We think that what we have is superior to what your separation mandate would force upon us. We respectfully urge that you either amend the legislation as we have suggested, or refuse to recommend it.

I would be happy to answer any questions for you if you have some.

Mr. ANDREWS. Mr. Petri.

Mr. PETRI. I want to again thank you for the work and for the figures that you presented.

As you have observed, I have asked some of the other people who have testified to see if they could supply us with information from other places around the country to see if there is any corroboration.

One figure I am particularly interested in—and I wonder if you could expand on it a little bit to explain to us just really how you got to it—you say the separation would cost Fond du Lac County—this is separate staffs——

Ms. ANDEREGG. Right.

Mr. **Petri** [continuing]. $250,000 per year, just to staff, without including any salaries for the required teachers, social workers and recreational officers.

How would that work? How did you arrive at that figure? Why do you think it would cost that much?

Ms. **Anderegg**. We have to staff around the clock. If they are requiring a separate admistrative staff, what we would have is nine officers, a court officer, and a separate administrator.

The way I arrived at it was to use the salaries that we pay all those people now who staff our adult jail. We need almost the same number of people for the adult jail, but we only detain two juveniles—last year, it was an average of two per day—and if we could have excluded the murderers earlier, it would have been one per day. So what you are talking is about a round-the-clock staff for one kid, and it is not necessary.

I think that we can train our correctional officers in juvenile detention—in fact, they are already being trained like that—so that we can take care of them, and use what money we can spare for the teachers and the counselors. We have counselors in our jail now for those people. But if you require the separation and the separate staff, that is what it is going to cost us.

Then, I think, what we will have to do is give up the shelter care and the group home and some of the other good things that we have so that we can afford what it is you say we ought to have. It is a mistake.

Mr. **Petri**. The other possibilities would be not send kids to a secure facility, and rather send everyone to these group homes or something of that sort, rather than a full supervised jail-like facility for juveniles.

What would be the objection to that that it would be a risk to the public? Do some people need this sort of supervision?

Ms. **Anderegg**. It is obvious that some of them do need that kind of supervision.

We hold even the ones who are picked for violations of their custody after they have been in previous trouble, and hold them less for 24 hours usually, until the judge disposes of them. You have to have a secure detention facility somewhere.

In order to call themselves in compliance, I know that some States have the social services that have these secure detention facilities. They can put juveniles in those facilities. They are in jails. You know, it is ridiculous. In the Upper Peninsula, there are six secure detention facilities for juveniles, and they are in the buildings, in the jails. The sheriffs don't like it because the separation requires that, if you have only one kid there, you have a whole empty cellblock, and that is not pleasing to them.

But what I am saying that, where we can have separate—we have a seven-bed juvenile part of the jail that we use, and there is always somebody, one of our regular correctional officers, staffing it. We can use that. It is on the second floor of our jail. There is no reason in the world for us to be forced to remove the few juveniles we have to put them somewhere else—either send them to another county, which takes a lot of time—and if they are in for something violent, it takes two officers to take them there, bring them back for the court appearance, and bring them back for their conferences with their attorneys. If their parents want to see them, you have to either get their parents up there or get the kid back. There is a lot of traveling time involved.

Really, I think we are doing a good job now. I think that if you are reasonable with your legislation, a lot of counties that wouldn't be forced to comply now because of the adoption of your amendment, we could try to comply and that you would help us. But you do have to be reasonable. We can't build a separate tunnel to take a juvenile to court. If he sees another adult prisoner on his way there with his officer, that is called haphazard conduct and, according to the Federal Register, you can't have that. It is totally unreasonable.

Mr. **Petri**. Thank you.

Mr. **Andrews**. That is most impressive. I am very impressed with that. We, I believe, will be able to cause this reauthorization bill to be such that you can comply and, nevertheless, continue to do what you are doing. You sound quite reasonable to me.

Ms. **Anderegg**. Thank you very much.

Mr. **Andrews**. With your permission, we will appoint Mr. Petri to represent you and your position. [Laughter.]

Ms. **Anderegg**. We have already had several discussions about that.

Mr. **Andrews**. Thank you so much.

Ms. **Anderegg**. Thank you.

Mr. **Petri**. Mr. Chairman, I have a letter in support of this legislation and comments on it from Linda Reivitz, who is the head officer of the State of Wisconsin Department of Health and Social Services. She administers this sort of thing on a state-wide basis in Wisconsin. I wonder if I could have that placed in the record?

Mr. **Andrews**. Without objection, of course.

[The letters of Linda Reivitz follow:]

WISCONSIN DEPARTMENT OF HEALTH AND SOCIAL SERVICES,
OFFICE OF THE SECRETARY,
Madison, WI, March 1, 1984.

Hon. THOMAS PETRI,
House of Representatives,
Washington, DC.

DEAR MR. PETRI: I am writing to clarify an important issue in connection with my February 28 letter to you concerning the jail removal provisions of the Juvenile Justice and Delinquency Prevention Act.

As you will recall, in addition to endorsing the reauthorization of the Act and its jail removal goals, I did request consideration of a change in the current exemptions from adult jail detention.

Specifically, I recommended an exemption to permit detentions for up "to twenty-four hours for delinquents with felony-level delinquent allegations or adjudications in counties of less than 100 persons per square mile. Such exempt detentions, moreover, should be limited to reasonably proximate adult jails that assure thorough separation as well as supervision of detainees."

The question has been raised as to how this proposed exemption relates to the current 48 hour exemption for detention of juveniles charged with serious offenses against persons. Put simply, we think our recommended twenty-four hour exemption is, on programmatic and practical grounds, a preferable alternative. We think so for two reasons. First, we believe the category of exempt offenses under the forety-eight hour language is too limited. As expressed in my letter, we believe that the exemption needs to cover felony-level allegations, which is a broader category than is allowed under the existing forty-eight hour exemption. Second, we feel that twenty-four hours provides appropriate and sufficient time for the exempt detentions and, thus, that forty-eight hours is unnecessarily long.

I hope this clarifies any misunderstanding that could have arisen in connection with my first letter.

Sincerely,

LINDA REIVITZ, *Secretary.*

WISCONSIN DEPARTMENT OF HEALTH AND SOCIAL SERVICES,
OFFICE OF THE SECRETARY,
Madison, WI, February 28, 1984.

Hon. THOMAS PETRI,
House of Representatives,
Washington, DC.

DEAR MR. PETRI: I appreciate your invitation to comment on the jail removal provisions of the Juvenile Justice and Delinquency Prevention Act (JJDPA).

We, in Wisconsin, are fully aware of the real problems and real harm that have resulted from the use of adult jails for the detention of juveniles. Moreover, this awareness is not limited to my Department or the Wisconsin Council on Criminal Justice. Local elected officials, county sheriffs, jail staff, and county human service agencies have been equally concerned about the unnecessary trauma, the difficulty of appropriate programming, the negative consequences of adult-juvenile interaction, the administrative complexities, and the plain costs of having to rely on adult facilities for the secure custody of minors.

Because they recognize these problems, state and local officials have worked over the past several years to substantially reduce the frequency and the duration of juvenile detentions in adult jails as well as to upgrade the physical and program standards that apply in those cases where adult facilities continue to be used.

While this progress has been significant and is continuing, many of us, including myself, have come to see a general policy against reliance on adult jails for juveniles as the clearest, most straightforward and ultimately most practical solution to the problems. Accordingly, we have been and continue to be supportive of the jail removal goals that underlie the current Juvenile Justice and Delinquency Prevention Act. Those goals are sound and should not be abandoned or repudiated in the forthcoming reauthorization decisions by the Congress.

In affirming those goals, however, I do not mean to suggest that achieving them will be easy or without serious problems. On the contrary, our Wisconsin efforts in reducing jail detentions to date and our planning for comprehensive jail removal in the future have raised a number of serious practical, programmatic, and juvenile welfare issues. These issues as well as experience in other states deserve to be seriously and carefully considered in the reauthorization of the JJDPA.

Our most serious concern is a common sense one. It makes sense to prohibit jail detentions when and if there are better or at least equal alternatives available to meet the secure custody needs of juvenile offenders. When such alternatives cannot reasonably be expected to be available, then a blanket barrier to using appropriately staffed adult jails does not make sense.

Do not misunderstand this qualification. I believe that in Wisconsin we, in cooperation with counties and with JJDPA assistance, can and will develop the alternatives that are needed to end the overwhelming majority of juvenile detentions in adult jails. But I do not believe we can expect or be expected to have and use alternatives in every instance, particularly in our less populated counties.

Such exceptions to a total prohibition are, of course, included in the current law. The JJDPA exempts juvenile detentions in adult jails for criminal-type offenses for up to six hours in rural areas. This exemption reflects a Congressional recognition of a legitimate need; unfortunately, however, it is too limited to realistically meet that legitimate need.

We are not planning nor do we feel it wise to develop juvenile detention centers in most of our less populated counties. To do so would not only be unacceptably expensive and thus a drain on resources for other critical juvenile programs, but it would also create incentives for excessive use of such centers to the detriment of non-facility based custody programs such as home detention or the use of youth attendants. Given that decision, most rural communities in Wisconsin will continue to be at some distance from the nearest juvenile facility

This means that youths apprehended and needing secure custody in such counties would frequently have to be transported at some distance from home, family and attorneys, only to be promptly returned to their community for a judicial hearing appearance.[1] To argue that such hearings can always be scheduled to occur within six hours is unrealistic. So too is the view that personal custody arrangements, such as a youth attendant, can always be responsibly made within six hours.

In light of the above considerations, and after considerable debate, I have concluded the six-hour exemption needs to be expanded if Wisconsin is to achieve, responsibly and practically, the larger jail removal objectives of the JJDP Act. Specifically, the exemption should be extended to twenty-four hours for delinquents with felony level delinquent allegations or adjudications in counties of less than 100 persons per square mile. Such exempt detentions, moreover, should be limited to reasonably proximate adult jails that assure thorough separation as well as supervision of detainees by juvenile agency staff.

While we recognize that this extension may permit a small number of overnight jail detentions, which would not be allowed under current JJDPA provisions, we believe that appropriate staffing and supervision can be established to minimize potential problems. Moreover, we are convinced that whatever problems may occur because of such detentions, they are less severe and traumatic than the nighttime transports, precipitous releases or hastily arranged supervisions that would be experienced by juveniles in the absence of such an exemption.

A revision of this kind will not in any way alter, undermine or diminish the ambitious juvenile justice reform goals Congress has set forth in the current act. Instead, it will strengthen the law. It will do so by allowing good faith states and communities to move toward real improvement in the treatment of juvenile offenders, without requiring them to conform to an absolute standard that in some instances may prove inconsistent with the interest of the affected juveniles.

Even with these changes, the Act will continue to present difficult challenges for change to all states, including Wisconsin. We still have many problems to solve, programs to test and develop, facilities to locate, and cooperative state-county strategies to implement, before we can feel confident that we will meet the rigorous timelines for change envisioned in the Act.

Nevertheless, we intend to try to achieve all the change that is sensible and practical. With continuation of the limited federal assistance under the JJDPA and with increased state and local commitment, I think we can do it. If federal law, however, requires practices that are not defensible from the perspective of costs or the real needs of juveniles and if the law withholds financial assistance from states who fail to conform to those inappropriate requirements, then the goal of substantive jail removal in this country will not be advanced but retarded.

Thank you again for the opportunity to share our views on the JJDPA We hope they are useful.

Sincerely,

LINDA REIVITZ, *Secretary.*

Mr. ANDREWS. Somewhere in your statement, you referred to a letter, did you not, from some group other than this one?

Ms. ANDEREGG. That is right, from the Counties Association, the Wisconsin Counties Association.

Mr. PETRI. I would also like to enter the Wisconsin Counties Association's position letter on this act.

Mr. ANDREWS. Without objection, we will enter it in the record.

[The letter of the Wisconsin Counties Association follows:]

WISCONSIN COUNTIES ASSOCIATION,
Madison, WI, February 28, 1984.

To: The Wisconsin Congressional Delegation.
From: Mark M. Rogacki, Executive Director.
Subtest: Juvenile Justice Delinquency Prevention Act (JJDPA).

The Wisconsin Counties Association strongly opposes reauthorization of JJDPA if this measure continues to "call for" removal of juvenile offenders from county jails, without funds being made available for this effort.

It is patiently unfair to even ask that local property taxpayers underwrite the multi-million dollar costs of this program simply because the State of Wisconsin elects to receive $800,000 a year in JJDPA grant funds. (Only about half of these funds ever even trickle down to local government because the difference is utilized for state administrative costs). Yet receipt of these funds translates into state agency pressure aimed at achieving JJDPA federal "goals" and this flows directly to the property tax.

---

[1] Wisconsin law currently requires an internal judicial hearing within 24 hours (excluding weekends and holidays) of all youth placed in secure detention.

As if that isn't bad enough, ludicrous application of federal and state regulations leads to ridiculously contrary postures on holding juveniles in county jails. For example, an "urban" county jail is deemed inappropriate for housing juveniles who are residents of that county. This is presumably because of the facilities' failure to adequately meet federal standards for separation of adults and juveniles. But that same jail, we are told, may securely house juveniles from surrounding "rural" counties and be in total compliance with JJDPA! Unbelievable!

Wisconsin is currently a leader in the "state of the art" regarding protection of juveniles held in county jails. State standards are set high and completely enforced. Until there are federal funds available to move further, this act should not be reauthorized as presently worded.

Strike the "removal" language or have it financed. Wisconsin's counties and property taxpayers can't afford to and shouldn't be asked to bear this financial burden. (This doesn't even address ongoing costs related to operation of these separate secure detention facilities, which may cost millions of dollars annually for years to come.)

We urge you as representatives of Wisconsin's citizens to say "enough."

Mr. **Andrews**. This is most enjoyable. We are going very slowly. We should, I guess, consider recessing for lunch, yet we just don't have time. We have 13 witnesses and we have completed only 6, and the hearing should be over.

I am going to have to ask the witnesses to please be as brief as you feel that you can. Your written statements, of course, will be part of the record, and will be considered at an appropriate time. But let's please keep it as brief as you feel you can for this afternoon. All of us do have other very pressing matters for the remainder of the day.

With an apology for having to say that, let me call on Mr. Roger E. Weisberg. Come around if you will please. He is the producer of the documentary "Old Enough To Do Time." He is from New York City. We welcome you, sir.

[Prepared statement of Roger E. Weisberg follows:]

Prepared Statement of Roger Weisberg

I recently completed producing and directing a national public television documentary on our nation's juvenile justice system called Old Enough To Do Time. Research for the program started in early 1982 and the shooting took place in early 1983 on location in New York, Massachusetts, Florida, Washington, Colorado, and California. The program is hosted and narrated by Daniel Travanti who plays Captain Furillo on NBC's Hill Street Blues and it will air on most public television stations on March 21st at 10:00 P.M.

During the year and a half that I worked on this production, I had an opportunity to review the latest research in the juvenile justice field, interview a number of leading experts, and observe the day to day operation of the law enforcement and correctional systems of several states. In planning and shooting our documentary, we spoke with police officers, prosecutors, public defenders, juvenile and criminal court judges, probation officers, corrections officers, and youth services workers. Most importantly, we talked with juveniles in a variety of settings including juvenile courts, adult criminal courts, detention centers, county jails, training schools, and state penitentiaries. We also looked at juveniles in four alternative correctional programs: one based on a "diversion" approach where minor offenders are formally diverted to community accountability boards instead of being tried in courts; one based on a wilderness/"Outward Bound" model; a third based on a halfway house model; and a fourth "tracking" program which keeps tabs on youthful offenders after their return to the community. Many situations included in our documentary have a direct bearing on the policy issues being considered by this committee. I will focus on a few specific segments of the production which are most pertinent to your deliberations about the reauthorization of the Juvenile Justice Act.

One of our shooting locations was the Delta County Jail in rural, western Colorado. We interviewed Sheriff Richard Miklick, Claus Tjaden, the Coordinator of Colorado's Jail Removal Initiative, and 6 juveniles who were detained for a variety of reasons. One was charged with assault; several others were charged with thefts or burglaries; one was a runaway; and one was locked up for riding a dirt bike on Main Street. All of the juveniles had some contact with adult prisoners because the jail's physical layout made it impossible to comply with sound and sight separation requirements. The sheriff was expected to separate men from women, juveniles from adults, felons from misdemeanants, and pre-trial detainess from convicted prisoners. With only three tiers in the jail, and no resources to upgrade it, no matter how the sheriff juggled the inmates, separation was impossible. Further complicating matters was the fact that the nearest juvenile detention facility was 250 miles away over mountain passes that are often closed in winter. Consequently, if the police wanted to detain a juvenile offender, they would have to tie up an officer and squad car, conceivably for days, or place the youth in a jail where separation from adults was not always possible. The sheriffs didn't like locking the juveniles up with the adults any more than the juveniles or youth services authorities liked it, but, in certain circumstances, they felt they had no choice.

The juveniles we talked to who were detained in the jail had several noteworthy reactions. Some were so angry with what they perceived to be unfair treatment that they vowed to get revenge on the authorities once they were released. One juvenile in essence said that he would like to do something serious enough to warrant the kind of punishment he was getting. The young man who was incarcerated for riding his motorcycle on Main Street corroborated the age old labelling theory by explaining how everyone in the small town now knew that he's been in jail and would treat him as if he were a criminal. He said that after a while, he really began to believe that he was a criminal.

When I questioned the juveniles about their exposure to the adults, I received some surprising responses. I expected them to be afraid of the adults, but contrary to my expectations, they enjoyed their company. In fact, they identified with the older inmates and articulated their desire to emulate them.

It was painfully obvious to the sheriff and youth services authorities that these juveniles had been exposed to the most inappropriate role models. In fact, the sheriff was happy to be named as a respondent in a law suit being filed by the Juvenile Law Center, because he hoped that if he lost the case, the result might be a new modernized jail facility.

I believe that placing juveniles in jail with adults is not only bad policy, but dangerous policy as well. The juvenile suicide rate is about 8 times greater in jail than in a juvenile detention facility, and once they're released from jail, experts indicate that many juveniles present a greater risk to the community. They may be angry and seek revenge; they no longer dread doing time, having already survived a jail term; they may think of themselves as criminals and act out accordingly; and they may even learn from their new friends in jail how to become more proficient criminals.

Colorado has achieved impressive results in getting juveniles out of jails. The combined concern and efforts of people from the Sheriffs Association, the Colorado youth services agency, the Juvenile Law Center, and OJJDP have resulted in several innovations. Transportation of young offenders in remote locations to existing juvenile detention facilities has been arranged and well supervised group homes and foster homes have been established as alternatives to detention facilities in several locations on Colorado's western slope.

Although the results of jail removal initiatives in states like Colorado, Utah, Wisconsin and Pennsylvania have been dramatic, the overall national picture is disappointing. For example, the recent national jail census conducted by the Bureau of Justice Statistics of the U.S. Department of Justice indicates that there were as many juveniles in jails in 1982 as there were in 1978. Without the leadership of OJJDP and the financial strings that are attached to efforts to remove juveniles from jail, I am afraid that the national situation will deteriorate and more juveniles will be locked in jails with adults.

Another area where we risk rolling back significant progress is in the removal of status offenders from locked institutions. In the course of shooting Old Enough To Do Time, I had the moving experience of talking with about 30 girls who were detained in Dade County's Juvenile Detention facility. A great number of the girls I spoke with were accused of status offenses—truancy, sexual promiscuity, and, most commonly, running away from home. I was surprised and saddened by the candor with which they revealed their own histories of broken families, neglect, and physical and sexual abuse. I was outraged when I realized that a girl who had been raped by her father could be sharing a cell with a girl detained for robbery. Although other jurisdictions have completely removed status offenders from locked institutions, the authorities in Dade County were unable to defer these status offender cases to appropriate social service agencies, and consequently they've become a costly and inappropriate drain on the juvenile justice system.

Florida currently has one of the highest rates of detention in the country and Dade County is in the process of opening another detention facility to handle the increased demand. The facility I visited was so over-crowded that I observed many mattresses on the floors to accomodate youths who couldn't fit into regular bunks.

I can't help believing that the problems of status offenders are social and family problems that should be treated by appropriate social service agencies. Status offenders should not be dumped into an already overburdened criminal justice system.

Largely due to the Juvenile Justice Act, many states have been remarkably successful in removing status offenders from locked institutions (e.g., Pennsylvania, Washington, Iowa, Illinois, California, Massachusetts). But once again, without incentives from OJJDP, I suspect that increasing numbers of status offenders will find their way back into locked institutions.

Another problem which OJJDP has sought to remedy is the separation of juveniles from adults who have been convicted or are awaiting trial. In Old Enough To Do Time we had occasion to interview Billy Clemons, a boyish looking 14 year old inmate in one of Florida's state penitentiaries. He was found guilty as an accessory to murder and was serving a 20 year sentence along with other "youthful offenders" up to age 26. He articulated on camera his perception of society's indifference to the fact that he might not get out of prison alive or with his "manhood intact." He gave us all pause for thought about what kind of individual we might expect back on the streets some day. There will be little doubt in viewer's minds that society needs to be protected from truly violent youths like Billy Clemons. But, the documentary raises the uneasy question about the best way to treat kids who will doubtless present an even greater threat to society after a long and sustained prison term with older hardened criminals. Although treating a juvenile who commits a so-called adult crime as an adult is good politics for elected officials, I believe that it's bad policy for our country. Nationwide, 2 out of 3 juveniles who are transferred to the adult system are property offenders and haven't committed crimes of violence.

OJJDP has provided leadership in creating and supporting alternative correctional programs for juvenile delinquents. Old Enough To Do Time features four different kinds of alternative programs. Since reliable data about recidivism rates is not available, the value of these programs is perhaps best demonstrated by citing a few of the comments that the participants make in the documentary:

You have no responsibility—none. (in the training school) And you come out here and it's all given back to you. I mean you got to carry your pack, you got to keep up with the group, you got to know what food you have—it's positive. I mean knowing that there's people relying on you instead of your relying on people.

I think this course kind of shows someone if you can go through all this kind of stuff and people do it all the time, then there's really nothing to living in a house and being warm and going out and working and paying for your things with stuff you earned.

The showed us two things—how to survive on the survival course and how to survive in the urban facility. You're going to get out no matter what . . . I think that the community would rather see us out there trying; see that we're trying to make good with ourselves; trying to respect others; trying to learn from what we did—from our mistakes; and you can't do that in an institution.

After you come out of an institution, you have no job, no money, you have nothing—and all you can do is steal again. If you come here, you make sure you have a job and then you don't have to steal.

I think juveniles should get a break 'cause they could learn a lot from their mistakes. They got a lot more people to work with them. Like when a guy is 35 years old and still stealing cars and ripping off houses and stuff—it's a little late.

Counselor: I think a lot of what we do is try to teach these guys the reality: hey, the kid games are over—we're not going to dwell on the past—let's hope that we can learn from it. But things are not going to go your way. You have to learn to live out there—they don't have to learn to live with you. Having been in the bigger institutions, I can testify to the fact that it didn't do me any good. One of the things I can say here, and you can ask these guys, is to ask them what they've learned there in terms of social skills—in terms of things that keep them out of jail. You know, they might have taught me how to mow a lawn or this that or the other thing, but in terms of something marketable for when I came out? (Shakes head) When I got paroled, I was paroled to the street and the only people I knew were police and junkies.

In closing, I would like to underscore that our experience in researching and producing Old Enough To Do Time has led to our sincere conviction that removing juveniles from jails, removing status offenders from locked institutions, separating juvenile offenders from adult criminals, and sponsoring alternative correctional programs are not only worthwhile policies, but they must be undertaken at the national level. These issues transcend the boundaries of individual states and, consequently we must look to the federal government and OJJDP for leadership and direction in deciding how to allocate our juvenile justice resources.

STATEMENT OF ROGER E. WEISBERG, PRODUCER OF THE DOCUMENTARY "OLD ENOUGH TO DO TIME," WNET/13, NEW YORK, NY

Mr. WEISBERG. Thank you very much. It is a pleasure to be here today. I am going to try to comply with your request to be brief.

The documentary that I produced for national public television, "Old Enough To Do Time," will air in about 2 weeks, the 21st at 10 o'clock, and it will be followed by local productions produced by local stations across the country, and then a national tie-in on "PBS Latenight."

The focus of the documentary is on get-tough policies, juvenile justice policies, across the country, and it is narrated and hosted by Daniel Travanti, who plays Captain Furillo on NBC's "Hill Street Blues."

What I think would be most useful, since there really are two records of our research and feelings about this subject—one being my written testimony, and a much more important record being the documentary itself, which we hope is going to reach about 3 million to 5 million people in about 2 weeks from now—what I would like to try to do is focus on four specific segments of the documentary that overlap directly the issues that this committee is deliberating about.

The first one relates to the removal of juveniles from jail. We ended up shooting a segment of our documentary in the Delta County Jail on Colorado's western slope. There we interviewed the sheriff, the coordinator of the jail removal initiative there, and six juveniles, some who were in there on fairly serious charges, assault and theft and burglary. But one was a runaway and one was locked in the jail for riding his dirt bike on the main street of town.

All of the juveniles in this jail had contact with adult prisoners because the construction of the jail made it impossible for the sheriff to comply with sight and sound separation requirements. He had to separate men from women, felons from misdemeanants, pretrial detainees from convicted prisoners, and juveniles from adults. With only three tiers in his jail, no matter how he juggled his populations, he couldn't achieve the separation that was required.

The sheriff didn't like having these juveniles in the jail any more than the youth services authorities. In fact, he welcomed being named a respondent in a lawsuit, because he hoped that if he lost the case, he would be required to build a new jail facility and would have the resources to do it right.

What is probably most significant is really the reactions of the juveniles who we talked to. Some were so angry with the treatment they received that they vowed to get revenge once they got out.

One, the one who was locked up for riding his dirt bike on the main street of town, wished that he had done something serious enough to warrant the kind of punishment he was getting.

The other talked about how living in a small town like he did in rural western Colorado, everybody in the small town would know that he was locked in jail, would think of him as a criminal and, after a while, he, too, began to think of himself as a criminal. This tends to corroborate that age-old labeling theory that we affect in a significant way the self-image of the juveniles by locking them up in jail. I think that the fact that they had this contact and had this impact on them didn't do the juveniles any good and didn't do the community any good.

When I asked them about specifically their contact with the adults in the facility, I was surprised by the response. Instead of hearing that juveniles were afraid of the adults they were incarcerated with, I found out that they enjoyed their company, that they identified with the older inmates, and specifically articulated their desires to emulate them. That couldn't be more dangerous for any of us, because they couldn't have more inappropriate role models.

Because the Sheriffs Association, because the youth authorities, and also because of the efforts of OJJDP, significant efforts were made in Colorado to remove juveniles from the jail, and they have made some impressive progress. Since we did our shooting there, they have been able to arrange transportation for some of the juveniles to juvenile detention facilities, and this is no easy task because, for this particular county, the nearest juvenile detention facility is 250 miles away over mountain passes which are often closed in winter. But they were able to arrange some transportation and, where that wasn't possible, they set up quite secure, well-supervised group homes and foster homes as alternatives to using the jail.

Many other States like Utah, Wisconsin, and Pennsylvania, had dramatic results in getting juveniles out of jails, yet the national picture is not so bright. I believe the representative from the GAO told us today that, in 1978, there were as many juveniles in jail in this country on a given day as there were in 1982. My fear is that without the financial strings that are attached to incentives that States have through OJJDP, that will roll back the progress that has already been made in removing juveniles from jail.

Mr. ANDREWS. May I interrupt you to ask you a question?

Mr. WEISBERG. Sure.

Mr. ANDREWS. I could envision what you are describing better if I knew more about the dirt-bike kid, as you called him. A dirt bike, is that something like a Moped or something?

Mr. WEISBERG. A dirt bike is a kind of motorcycle that is not meant to be ridden on the streets, it is meant to be ridden on cross-country, I suppose.

Mr. ANDREWS. How old was that boy?

Mr. WEISBERG. I am trying to remember. He is the kid who was on the cover of this press kit, so you can get an idea of what he looks like. I would guess he is around 14 or 15 years old.

Mr. ANDREWS. Was he being held in jail awaiting trial, or was he tried and sentenced?

Mr. WEISBERG. He was awaiting trial.

Mr. Andrews. How long did he remain in jail awaiting trial?

Mr. Weisberg. I think he was anywhere from 24 to 48 hours in jail. I don't recall. It was in that range.

Mr. Andrews. Was he offered an opportunity to post bond and, hence, not go to jail?

Mr. Weisberg. I don't think so. I think that out there, there was a judge and perhaps the arresting officer had the opinion that this was going to teach this kid a lesson. I think that is the attitude to a lot of their cases.

Mr. Andrews. That is, I think, in violation of law. Everybody is entitled to bond except in capital cases.

I just wondered if they offered bond, and if he had no parents or means whereby he could provide the bond. Sometimes they intentionally set the bond so high that they know the accused—or think that the accused will not be able to comply with the bond and, hence, they, so to speak, violate the law by, for all practical purposes, not allowing bond. In other words, they say we allowed him bond, but we made it $10,000 and required cash or something.

I just can't imagine what you said. Did he have some prior record that caused the authorities there, whether it be the police or the judge or somebody, to think that he was dangerous to the community if he were not jailed? Did he have a prior record?

Mr. Weisberg. To my knowledge, he didn't even have a prior record.

Mr. Andrews. I just can't imagine that.

Mr. Weisberg. I don't know the prior record of the runaway either who was there in the county jail, but she was a young lady who might have had previous contacts with the juvenile authorities, but, again, was in there for nothing more serious than running away.

Mr. Andrews. It doesn't sound plausible. I practiced law. I have been a defense attorney and a prosecuting attorney for many years and, although I have been a Member of Congress now for some 12 years, I am still familiar with court systems. I have obviously worked with this law. We have held many hearings and heard many stories, and I don't think I ever heard of a kid charged with something as minor as driving a bike on a city street in an unaggravated sort of a manner, and with no prior record, being arrested, put in jail, and not offered an opportunity to post bond.

Mr. Weisberg. It is my understanding that 22 percent of all of the kids who are in jails across the country are in there for status offenses—they haven't committed crimes, and only about 10 percent are in there for crimes of violence. The other bulk, I guess, are in there for mainly property crimes, burglaries, and thefts. But a significant chunk, 22 percent, are in there for status offenses, which I think is a serious problem.

Mr. Andrews. That is what we are trying to address with the legislation. Yet, the lady from Wisconsin and others make—you know, it is certainly understandable that, in some instances, my own native county could not afford to pay $250,000 a year, exclusive of teachers and social workers and others who are required, in addition to building a separate facility. It is really a dilemma.

We are seeking, as you well know, through this legislation to accomplish, as nearly as can feasibly be done, what I think you are recommending. We are in total agreement. Yet, I am glad you had to spend the day listening to some of the problems involved from the standpoint of cost and other considerations.

Mr. WEISBERG. I think there have to be some less-costly alternatives to building separate detention facilities for juveniles. In Colorado where we did our shooting, we saw that they were able to come up with some of those less-costly alternatives.

Mr. ANDREWS. Is that the 250-mile trip across the mountain passes, and so forth?

Mr. WEISBERG. That is not the most cost effective. I would think that the secure group homes and foster homes are the most cost effective alternatives. But I suppose that, for the truly violent kids, it still, I think, is worth it to commit an officer and a squad car to spend the time to get the kid over to the secure juvenile detention facility rather than take the risks associated with having that juvenile in a jail with adults where separation is physically impossible.

Mr. ANDREWS. Yes.

Mr. WEISBERG. The other thing that the act strives to do is remove status offenders from locked institutions. We, in our documentary, shot a significant portion of it in Dade County. We did shoot in the Dade County juvenile facility, where we looked at a group of about 30 young women who were detained in the detention center. Many of them were detained there for status offenses.

One of the most moving and saddest parts of producing this thing was to listen to their stories, their personal histories, involving neglect and abuse and changing families. The most staggering was to listen to the stories of sexual abuse.

I was outraged to realize that some of these girls who had been raped by their fathers would potentially be sharing bunks with girls who had committed serious delinquencies, assaults and robberies. I couldn't help feeling that the problems that these status offenders had were family and social problems that were being dumped into an overburdened juvenile justice system.

I also feel that, without the incentives that States have from the Federal Government to remove status offenders from locked institutions, it simply won't happen. There are States like Pennsylvania, Washington, Iowa, Illinois, and Massachusetts, that have had significant results in removing status offenders. But, again, I think that the States need the carrot, they need the incentives and leadership from the Federal Government.

Another thing that was included in the documentary was a situation involving the commingling of a juvenile and adult in a State penitentiary in Florida. We ended up interviewing a 14-year-old, prepubescent-looking young man in one of Florida's State penitentiaries. He was serving 20 years as an accessory to murder, and was in one of their youthful offender prisons that housed young men up to age 26. This fellow of 14 articulated for us on camera his fear that he might not even get out of the prison alive or, as he put it, with his manhood intact.

We are not saying that we should be lenient with these very serious violent juvenile offenders, but that we may be short-changing ourselves by throwing them in with the adults and risking having back in our community several years hence juveniles who have no chance of being socialized while they are incarcerated.

I think it is good politics for elected officials, but bad policy for our country. In fact, two out of three of all the juveniles who are in the adult system have committed property offenses and are not the serious violent juvenile offenders who are always targeted for waiver to the adult system.

The last area that our documentary spends highlighting is it looks at four alternative corrections programs for juvenile delinquency, some for minor offenders and some for quite serious offenders. One was based on a diversion model; one was based on an outward-bound wilderness experience approach; another a halfway house approach; and another, a tracking model which allows kids to go home, live in their communities, but with round-the-clock supervision.

In the record, I have cited a number of the comments that some of the participants in these programs make in the documentary.

Since recidivism data is the trickiest to rely on, and there doesn't seem to be very reliable recidivism data that we could cite for some of these programs, I decided to include some of the comments that participants that give a flavor for the ways that it is affecting some of the young participants. But rather than read them here, they are in the record, and I want to be brief.

In closing, I just want to underscore that our experience in researching and producing "Old Enough To Do Time" has led to our conviction that removing juveniles from jail, removing status offenders from locked institutions, separating juvenile offenders from adult criminals, and sponsoring alternative corrections programs, are not only worthwhile policies, but they have to be undertaken at the Federal level.

These issues transcend the boundaries of State lines, they are too important to be just left to the professionals, and we have to look to the Federal Government and OJJDP for direction in deciding how to best allocate our juvenile justice resources.

Mr. ANDREWS. Thank you very kindly.

For the benefit of all of us, if we have developed an interest perhaps greater than we had in the beginning, when did you say the documentary will be aired?

Mr. WEISBERG. It will be aired on the 21st of this month, 2 weeks from tonight, at 10 o'clock.

We are a network in the same way that commercial networks are, so some stations vary. A few of them are going to be airing at different times of the day so that they can plan their own local follow-ups. But I would say 90 percent of all public television stations will air it on 10 o'clock on the 21st.

Then, I might add, at 11:30, "PBS Latenight" will air a debate between Mr. Regnery and Mr. Jerome Miller, which will be follow-up and response to the issues raised in the documentary. It promises to be a lively debate.

Mr. ANDREWS. Has the debate already occurred?

Mr. WEISBERG. No; the program will air live, so the debate has not occurred yet.

Mr. ANDREWS. I suppose that it has, you just haven't filmed it yet. [Laughter.]

All right. Thank you very much for sharing all of this experience and research and interesting stories with us, and for your support.

Mr. **Weisberg**. Thank you.

Mr. **Andrews**. Next we have A.L. Carlisle, chairman, National Steering Committee of State Juvenile Justice Advisory Groups, Cape Elizabeth, ME.

[Prepared statement of A.L. Carlisle follows:]

PREPARED STATEMENT OF A.L. CARLISLE, CHAIRMAN OF THE NATIONAL STEERING COMMITTEE OF STATE JUVENILE JUSTICE ADVISORY GROUPS, CHAIRMAN OF THE NORTHEAST COALITION OF STATE JUVENILE JUSTICE ADVISORY GROUPS AND CHAIRMAN OF THE MAINE JUVENILE JUSTICE ADVISORY GROUP, CAPE ELIZABETH, ME

Mr. Chairman and members of the subcommittee, the Hearing you are holding today on the reauthorization of the Juvenile Justice and Delinquency Prevention Act is an extremely important one for all those involved with and concerned about juvenile justice. I am very pleased to have been invited to share with you some of the accomplishments, concerns and positions of those involved in implementing the Juvenile Justice and Delinquency Prevention Act at the state level, most specifically, the State Advisory Groups.

As you know, Section 223(a)(3) of the JJDPA requires each state, which applies for formula grant funds under that statute, to appoint an advisory group consisting of between 15 and 33 persons "who have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice". The members of State Advisory Groups are appointed by the governors of the respective states. Their responsibilities include advising the governor and legislature on matters relating to juvenile justice, including compliance with the requirements of the Act; reviewing, commenting and, in some cases, acting upon all juvenile justice and delinquency prevention grant applications; monitoring state compliance with the requirements of the Act; developing a comprehensive state juvenile justice plan and reviewing the progress and accomplishments of programs under that plan. State Advisory Group members serve as volunteers and donate their time and energy to improving the juvenile justice system for juveniles. State Advisory Groups play a key role in the implementation of the Act at the state and local level, and they are most appreciative of the fact that this Subcommittee has recognized the importance of that role.

One of the clear benefits of the Act was the creation of these State Advisory Groups, which provide for an essential role for volunteers within the juvenile justice system. This Act could, in fact, serve as a model of a successful Federal, state and local partnership, whereby the Federal Government provides leadership, direction, assistance and some resources and the citizens within the states make dicisions in regard to the direction and resources based on State and local needs and priorities.

In the Fall of 1980, the State Advisory Groups formed the National Steering Committee in order to maintain and monitor federal initiatives in the juvenile justice area by facilitating the exchange of information among State Advisory Groups (SAGs) and by providing a unified voice on mutually-agreed-upon issues. Along with the National Steering Committee, the State Advisory Groups agreed to form regional coalitions, comprising SAG Chairs, or their designees, and Juvenile Justice Specialists. The Chairs of the regional coalitions are member of the National Steering Committee. In addition, the Chair and the two Vice Chairs of the National Steering Committee are elected by the State Advisory Group Chairs.

At the National Advisory Group Conference, held last May, the SAGs took positions on the reauthorization of the Juvenile Justice and Delinquency Prevention Act. A list of those positions is attached to this testimony.

The SAGs unanimously support the continuation of the Juvenile Justice and Delinquency Prevention Act. The JJDPA is an extremely effective piece of legislation which has led to progress toward a more humane and more rational approach to juvenile justice. It has provided a focus for local, state and national commitments to juvenile justice issues. It has provided a planning capability within state governments on juvenile justice issues and has encouraged a dialog among factions which have all too often immobilized the system through lack of communication. It has encouraged policy changes at both state and local levels regarding deinstitutionalization of status and non-offenders and separation of juveniles from adults in secure facilites and has encouraged the development of community-based prevention, diversion and treatment programs. The JJDPA has exerted great influence on systems planning, on developing a range of services for juveniles resulting in the prevention of entry into the juvenile justice system, on the ability of communities to offer alternatives outside the juvenile justice framework, on expanding the expertise and resources of communities to deal with their own problems of juvenile delinquency. Use of "the least restrictive alternative" has been encouraged in an effort to maintain juveniles within their own families and/or communities whenever possible. The problem of the serious/violent juveniles offender has been recognized, and programs which deal with the needs of both the offender and the community continue to be developed.

The Act has clearly served as an incentive to states to improve their juvenile justice systems. While Juvenile Justice and Delinquency Prevention funds have always been but a fraction of the total system costs, they have, nonetheless, served as a catalyst to increase both the efforts and resources devoted to improving services to juveniles within the states.

The Formula Grant Program (Part B, Subpart I of Title II) is the main reason the Juvenile Justice and Delinquency Prevention Act has been so successful. Under this Program, more than half of the money appropriated for the Act is returned to the states to carry out the mandates of the Act. Citizens of each state determine the needs and priorities of their states and allocate the money accordingly. Consequently, the money awarded under the JJDPA is used in the most effective manner for each state.

The Formula Grant Program encourages cooperation and coordination among all those involved in juvenile justice. Community-base organizations work with state departments, which in turn, work with each other to ensure the needs of juveniles are being met. Foundations, business, United Ways, etc., are becoming more involved in supporting services to juveniles. SAGs, because of their composition, play a key role in encouraging and developing such coordination.

States have used Formula Grant money to develop various programs, such as statewide networks of emergency shelter and group homes, crisis-intervention services and a variety of prevention and diversion programs. Many of these programs have proved so successful that they have continued with state and local funds. Standards have been developed, juvenile codes have been revised, and legislation has been implemented in response to the JJDPA. Without the impetus of the Act and the money available under the Formula Grant Program, many of these programs and improvements would not exist.

States clearly attribute most of the improvements in their juvenile justice systems to the Juvenile Justice and Deliquency Prevention Act. Oregon states that the "availability of JJDPA funds has accomplished several important things that may not have been accomplished through any other means: deinstitutionalization of status offenders, removal of juveniles from adult jails, development of additional system coordination and development of a statewide data base". In 1979, Delaware decriminalized all status offenses, which would not have been possible without the JJDPA and its funds. Without the JJDPA, the coordinating mechanism which has been developed among the key youth-serving departments in Maine and other states would not exist. Examples such as these abound in every state.

If the Act is not continued, new programs will be difficult to start because of budgetary constraints within the states, existing programs may have difficulty in continuing, and improvements in the system will be more difficult to implement. States are concerned that, without the Act, status offenders may once again be institutionalized, juveniles may continue to be locked up with adults, and efforts to remove juveniles from jails will be stalled or will cease entirely. For without the Act and its mandates, without the money available under the Formula Grant Program and without the advocacy efforts of the State Advisory Groups, many of the improvements to the system and services to juveniles would never have occurred.

There are currently 53 states and territories participating in the JJDPA, all of which have made substantial progress in meeting the mandates of the Act and most of which are in full compliance with one or more of the mandates. For example, Kentucky has reduced the institutionalization of status offenders by 91.6% from 1977-1983 (5,606 to 466) and the number of juveniles jailed with adults by 53.18%. In one year, Kentucky has reduced the number of juveniles detained in adult jails by 45.8%, from 3,906 in 1982 to 2,116 in 1983. Maine institutionalizes no status offenders and has reduced the number of juveniles not separated by sight and sound from adults in jails from 1,186 in 1977 to zero in 1983.

In Vermont, there was a 46% drop in one year in the number of status offenders incorrectly placed in the Juvenile Detention Unit. In 1983, New Jersey jails held no juveniles who were not separated by sight and sound from adults. Missouri has reduced the number of status offenders institutionalized by 94.1% and the number of juveniles not separated from adults in jails by 95.9%. The number of juveniles detained in adult jails was reduced by 30.5% in one year.

Tennessee has reduced the number of status offenders institutionalized by 73%, the number of juveniles not separated from adults in jails by 48% and the number of juveniles detained in adult jails by 49%. In New Mexico, there were only eight status offenders institutionalized in 1982, and all juveniles detained in adult jails were separated from adults by sight and sound. During the past year in Georgia, no juveniles were held in adult jails without sight and sound separation.

As the above samples indicates, much progress has been made by the states, but much remains to be done. While the number of status offenders institutionalized has been reduced by over 85%, efforts must continue to remove the remainder from institutions. There are still almost 500,000 juveniles detained every year in jails and lockups, and many of those juveniles are not separated by sight and sound from adults.

Some states are still working to meet the mandates of deinstitutionalization and separation and believe that continuation of the Act is critical to meeting those mandates. Most states have just begun their efforts to remove juveniles from jail, and, without the Act, fear that these efforts will be greatly hampered. States have also indicated that, in addition to meeting the mandates of the Act, particularly jail removal, they are faced with the following problems: reduction of services of juveniles due to state budgetary constraints; reductions in appropriations to states by the Federal Government; overcrowding of juvenile correctional facilities; insufficient community-based alternatives to incarceration; insufficient local primary prevention programs and lack of state funds for prevention efforts; inadequate funds for the administration of the Juvenile Justice and Delinquency Prevention program by the state.

In addition, states have found it extremely difficult to engage in long-range planning because of the uncertainly of the last few years as to whether the JJDPA would continue to be funded. It is difficult to coordinate the efforts of the diverse organizations and agencies, particularly those of local and state governments, involved in juvenile justice. When there is no assurance that certain programs will be available, there is an understandable reluctance to depend on those programs or to even be involved in developing or agreeing to fund at least part of them.

In spite of these problems and difficulties, states continue to develop creative approaches to serving juveniles and to fund, with JJDP money, alone or in combination with other sources, a variety of successful program. For example, most states have developed and funded foster care services, emergency services and shelters, residential treatment homes and group homes. Nebraska funds a Foster Home and Job Recruitment Project; an Emergency Shelter Care and Specialized Foster Care for Status Offenders, which is directed at rural areas; a Juvenile Parole Foster Care Placement Program, which provides foster-care placement for juvenile probationers. Georgia funded a group home for both status and delinquent female offenders which received so much community support that it did not request fourth-year funding. Georgia also funds an outdoor therapeutic program, a long-term residential camping program which includes intensive family counseling. Tennessee is developing attendant care, transportation and emergency foster-care programs on a statewide basis to implement its jail removal legislation, which was passed in May, 1983. Delaware has established a statewide shelter system and is developing options for girls, who are inappropriately incarcerated for minor infractions of the law because there are too few community-based alternatives available. Vermont closed its state reform school and created an extensive foster-care and group-home system for both detained and adjudicated youth. Maine developed a statewide shelter system and, since the costs of that system have been assumed by the State and local communities, now supports the shelters' efforts to expand their services in the areas of emergency and therapeutic foster care community-based diagnostic evaluations, etc.

Kentucky has a project which will offer children in emergencies temporary refuge in over 60 businesses and public buildings, many of which are open 24 hours a day. These safe places are planned at restaurants, supermarkets, YMCAs, fire stations, bus terminals and independent businesses. Nebraska funds a United Way—Juvenile Court Referral Project, which provides alternatives to incarceration of juveniles for misdemeanors and non-violent crimes through restitution and community service jobs and which uses over 250 community non-profit and city agencies. Massachusetts is funding a community mediation project which will provide an alternative means of resolving conflicts within families. Families will be referred by the courts, police, schools, private agencies and self-referrals. Many states have funded crisis-intervention projects. Maine has combined JJDPA funds and funds from the Department of Mental Health and Mental Retardation to fund several Homebuilder projects, which provide trained staff to work directly with families which have a child for whom removal from the home is a distinct possibility. These projects have been able to keep the child within his or her own home in 85% to 90% of the cases.

Georgia has funded a Purchase-of-Service Program for the Council of Juvenile Court Judges to increase the number of resources available to the juvenile courts, particularly in rural areas. During the most recently completed grant period, 1845 juvenile offenders were served, resulting in a decrease of 61.5% in the commitment rates over the previous grant period. Delaware is funding a project to provide the resources necessary to screen, identify and prosecute serious juvenile offenders, as well as to provide representation by the Public Defender's Office to indigent juveniles identified as serious offenders.

Primary prevention continues to be an area of great interest to many states, and many prevention projects have been developed and funded. Georgia has sponsored a statewide conference on primary prevention and has a successful In-School Prevention Program in Oglethorpe County Schools. Maine has funded both school-based and community-based prevention programs and is currently developing a Statewide Primary Prevention Plan in cooperation with the six key, youth-serving agencies. Massachusetts has a large number of school-based prevention projects, as well as a number of projects dealing with the prevention of alcohol and drug abuse. The Vermont SAG is also the Delinquency Prevention Coordinating Council responsible for both the implementation of the JJDPA and for overseeing the development of the State Primary Prevention Plan, required by the recent passage of State legislation, which mandates that State government develop and implement a State Primary Prevention Plan.

In New Mexico, the SAG, the State Department of Education, the New Mexico School Climate League and numerous local school districts jointly sponsor a delinquency prevention program in many school districts. Over 50 New Mexico schools have participated in this school climate improvement program. The first school to participate in the project, the Eisenhower Middle School in Carlsbad, reported the following results after one year: the number of students on the honor roll increased by 142%, truancies and absenteeism decreased; the percentage of students receiving failing grades was reduced by 10% in grade six and 3% in grade seven; the number of discipline referrals dropped from 300 to 120, deficiency reports from 426 to 287, serious discipline referrals from 75 to 30 and petty discipline referrals from 75 to 15.

States have developed, sponsored and funded training programs for people involved in the juvenile justice system, as well as for those involved with the juvenile justice system. In several states (Delaware, Rhode Island and New Hampshire, among others), new state departments have been created to serve children and youth. JJDP funds have supported staffing and training in these efforts, and SAGs have been strong advocates in support of them. Juvenile Codes have been revised to reflect the intent of the JJDPA. Standards to improve the juvenile justice system and its components have been developed and implemented. There has been increasing recognition of the need for public awareness and education in regard to the juvenile justice system, and resources, programs and media approaches have been developed to inform the public.

Juvenile Justice and Delinquency Prevention funds continue to serve as a catalyst to states to develop and test new approaches to delinquency. The percentage of funds passed through to local governments and non-profit agencies ranges from the required 66.66% to 98%. The number of project applications fo JJDPA funds continues to be far greater than the number which can be funded. For example, Massachusetts recently received 100 applications for funds and was able to fund only 21 of them.

Since H.R. 4971 was just introduced, the SAGs have not responded specifically to that Bill. However, the SAGs strongly support the continuation of the current mandates within the Act. Participation in the Juvenile Justice and Delinquency Prevention Act is voluntary. The fact that all but four states (North Dakota, South Dakota, Wyoming and Nevada) choose to participate in the Act is a strong indication that the states are committed to the purposes of the Act as it currently exists. SAGs believe that the deinstitutionalization and separation mandates must remain in the Act and are convinced that it is imperative to work towards the complete removal of juveniles from adult jails and lockups. Meeting the jail removal mandate of the Act has become a primary focus for many states, which are allocating a large share of available resources to accomplish removal. SAGs support the mandate that all juveniles be removed from adult jails and lockups. They well know the problems involved in meeting that mandate but, nonetheless, are committed to working toward the ultimate goal of complete removal. It is our hope that the clarification of Section 222(a)(14) will be a positive step in meeting that ultimate goal of complete removal.

SAGs support the continuation of emphasis on primary prevention, since they believe that prevention activities are both an appropriate and effective approach to reducing delinquency.

SAGs believe that, because of their membership composition, they are in the best position to determine the juvenile justice needs in their states and the best way to meet those needs. Consequently, they believe that the SAGs should have final planning and funding authority in regard to the JJDPA and strongly support amending the Act to provide that SAGs do have such final authority. Currently, 34 states do have final planning and funding authority in regard to the JJDPA. (List attached.) SAGs also believe that an annual national conference is extremely important to them in their efforts to implement the Act and appreciate your recognition of that fact by the provision in H.R. 4971 providing for a national SAG conference at least every two years. SAGs also support a five-year reauthorization period, which will provide for greater stability for the program.

The SAGs support a competitive bidding process for special emphasis funds, with ample public announcements as to the availability of such funds. It is impossible for one or two people to know about the many successful programs or innovative ideas in a particular area. Consequently, if we are serious about developing the most promising approaches to the prevention and treatment of juvenile delinquency, every one should have an equal opportunity to present his or her proposal as to how to best deal with a particular problem. Competitive bidding is the best way to ensure that a variety of approaches will be considered in the determination as to which proposals should be funded. Public announcements of the availability of funds in specific areas would also allow for some comment on the appropriateness of certain programs. Many states are concerned about programs currently being funded by special emphasis money. Competitive bidding, public announcements and review by Congressional committees should help ensure the best use of the limited JJDPA special emphasis funds.

SAGs continue to support continuation of the Runaway and Homeless Youth Act as it is currently written. Under the provisions of this Act, services have been effectively provided to runaway and homeless youth. The Missing Children's legislation had not been proposed when the SAGs met last May, so there has been no opportunity for the SAGs to take a position on that legislation. Several SAGs, among them Maine and Connecticut, have taken positions in support of legislation dealing with missing children.

I hope that the above information will be helpful to you in your efforts to reauthorize the JJDPA. Much progress has been made, but there is still much to accomplish. A combined Federal, state and local effort, involving citizens of each state, is necessary in order for progress to continue. The Juvenile Justice and Delinquency Prevention Act is the best way to ensure that progress will continue to be made. Your support for the JJDPA and your efforts to continue the Act are greatly appreciated by all those involved in improving the juvenile justice system and providing services to juveniles. If the SAGs can be of assistance to you in any way, please do not hesitate to call on us.

STATES IN WHICH STATE ADVISORY GROUPS HAVE FINAL PLANNING AND FUNDING AUTHORITY IN REGARD TO THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

Alabama
Alaska
American Samoa
Arizona
Arkansas
Colorado
Connecticut
Georgia
Guam
Idaho
Illinois
Iowa
Kansas
Maine
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Montana
New Hampshire
New Mexico
Ohio
Oklahoma
Oregon
Puerto Rico
Rhode Island
Tennessee
Utah
Vermont
Washington
Wisconsin
Northern Mariana Islands
Trust Territories of the Pacific Islands

POSITIONS OF THE STATE JUVENILE JUSTICE ADVISORY GROUPS ON REAUTHORIZATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

The State Juvenile Justice Advisory Groups:

Support reauthorization of the Juvenile Justice and Delinquency Prevention Act.

Support continued autonomy for the Office of Juvenile Justice and Delinquency Prevention.

Support the appointment by the President of the Administrator of the Office of Juvenile Justice and Delinquency Prevention. In addition, the SAGs recommend that the Administrator of OJJDP have experience in the field of juvenile justice.

Recommend that the Office of Juvenile Justice and Delinquency Prevention continue to be located within the Department of Justice.

Strongly support an increased emphasis on delinquency prevention programs, activities and research and recommend that prevention be emphasized in the body of the Act and that prevention programs and activities be added where appropriate.

Recommend striking the clause in the Act (Sec. 223(a)(12)(A)), which allows youth who have violated valid court orders to be placed in secure institutions.

Recommend that the provision to remove juveniles from adult jails and lockups by December 1985 be retained in the reauthorized Act.

Recommend the following authorization levels: $200 million—FY 85, $225 million—FY 86, $250 million—FY 87, $275 million—FY 88, and $300 million—FY 89.

Recommend an appropriation level of $125 million minimum for FY 85 and full funding thereafter.

Recommend an authorization period of five years.

Recommend no additions to sections dealing with special emphasis and advanced techniques.

Support recognizing the key role that nonprofit organizations, including neighborhood-based organizations, play in preventing juvenile delinquency and working with youth who become delinquent.

Support striking the provision that local, private agencies may receive state formula grant funds only if they have previously applied for and been denied funding by a local government entity.

Support examining and expanding Federal coordinating mechanisms to ensure that services available reach youth in need of them.

Recommend that the language on standards in the 1980 Juvenile Justice Amendments be retained and that technical assistance be provided to state and local governments to help them implement standards.

Support the following recommendations regarding the National Advisory Committee: Number of members on the NAC should be increased from 15 to 21, Membership criteria should be expanded to include current members of State Advisory Groups and state and local elected officials, a certain number of members should be representatives of youth-serving organizations, minorities should be represented, the requirement for youth membership should remain the same, there should be representation from both urban and rural areas, and time for public comment during each NAC meeting should be mandated

Recommend that State Advisory Groups have final planning and funding authority with respect to the Juvenile Justice and Delinquency Prevention Act.

Recommend that the Runaway and Homeless Youth Act be maintained as currently written. They also recommend a five-year authorization cycle and the following authorization levels: $50 million—FY 85, $60 million—FY 86, $70 million—FY 87, $75 million—FY 88, and $75 million—FY 89.

Support continuation of the Formula Grants Program as is.

Support continuation of the Special Emphasis Program, including the funding mechanism, as is.

Support the continuation of the requirement for annual monitoring reports regarding compliance with the mandates of the Act.

Support the continued separation of the National Institute of Justice and the National Institute of Juvenile Justice and Delinquency Prevention.

Adopted in Kansas City, May, 1983.

NATIONAL STEERING COMMITTEE OF STATE JUVENILE JUSTICE ADVISORY GROUPS

Each state which participates in the Juvenile Justice and Delinquency Prevention Act must have a State Advisory Group (SAG), the members of which are appointed by the Governor for their experience and expertise in the area of juvenile justice. Responsibilities of State Advisory Groups include development and implementation of comprehensive state juvenile justice plans, recommendations regarding grant applications for juvenile justice funding, advising the Governor and the Legislature in regard to juvenile justice issues and encouraging improvement of the juvenile justice system. In many states, State Advisory Groups now have final planning and funding authority in regard to the Juvenile Justice and Delinquency Prevention Act.

The National Steering Committee of State Juvenile Justice Advisory Groups was formed to provide a mechanism for State Advisory Groups to share information among themselves and to assist in the development of national policy and legislation in juvenile justice matters pertaining to the states. The National Steering Committee also provides a means to work more closely with the Office of Juvenile Justice and Delinquency Prevention and the National Advisory Committee, as well as other organizations and groups involved in the juvenile justice area.

Purpose: To maintain and monitor federal initiatives in the juvenile justice area by facilitating the exchange of information between SAGs and by providing a unified voice on mutually-agreed-upon issues.

Membership: Along with the National Steering Committee, the States Advisory Groups agreed to form regional coalitions, comprising SAG Chairs, or their designees, and Juvenile Justice Specialists. The Chairs of the regional coalitions are members of the national Steering Committee. In addition, the Chair and the two Vice Chairs of the National Steering Committee are elected by the State Advisory Group Chairs.

Functions:

(1) Speak on behalf of SAGs on agreed-upon issues to Congress and national policy-making agencies and bodies.

(2) Provide and disseminate information on significant national developments requiring SAG involvement.

(3) Represent SAGs on all appropriate policy-making bodies and forums.

(4) Initiate and maintain an appropriate vehicle of communication to keep SAG members adequately and regularly informed.

(5) Stimulate and sponsor regional coalition meetings with suggested agenda items of national concern.

(6) Organize and sponsor, in conjunction with the Office of Juvenile Justice and Delinquency Prevention, an annual national SAG Conference.

(7) Create ad hoc committees, as necessary, for the review and resolution of appropriate issues.

STATEMENT OF ANN LINDEN CARLISLE, CHAIRMAN, NATIONAL STEERING COMMITTEE OF STATE JUVENILE JUSTICE GROUPS, CAPE ELIZABETH, ME

Mr. ANDREWS. Where is Cape Elizabeth, ME?

Ms. CARLISLE. It is just outside of Portland, ME. It is a lovely town.

Mr. ANDREWS. It must be.

Ms. CARLISLE. I am very pleased to have been invited to share with you today some of the accomplishments, the concerns and the positions on reauthorization of those involved in implementing the Juvenile Justice Act at the State level, most specifically the State Advisory Groups.

First, though, I would like to thank you and Representative Petri for all of your support and efforts on behalf of the Juvenile Justice Act, as reflected in the bipartisan bill, H.R. 4971, which was recently introduced. The State Advisory Groups are extremely appreciative of all you have done in the past and continue to support your efforts to improve services for juveniles.

As you know, each State which participates in the act must have a State Advisory Group, the members of which are appointed by the Governor. State Advisory Groups are responsible for, among other things, advising their Governors and legislatures, and for ensuring compliance of the mandates of the act.

The National Steering Committee of State Juvenile Justice Advisory Groups, of which I am the chairman, consists of the chairs of the regional State Advisory Group coalitions and the chairman and two vice chairmen who are elected by the State Advisory Group chairs.

I would like now to speak briefly about some of the accomplishments of the legislation as seen from the States' perspective. I have submitted written testimony which will go into much greater detail which does contain specific examples of what the States have accomplished, as well as examples of successful programs in different areas which you may find of interest.

Today, though, I would like to couch my remarks in terms of some of the comments that have preceded my testimony.

The States, first of all, unanimously support reauthorization of the Juvenile Justice Act. We also support continuation of the mandates of deinstitutionalization of status offenders, separation of juveniles from adults and adult facilities, and removel of juveniles from adult jails and lockups. States have accomplished a great deal. Those accomplishments have been possible almost completely because of this act. We are not yet finished.

Of the 53 States and territories participating in the act, 48 of them are in full compliance with the deinstitutionalization mandate. However, we still have between 25,000 and 50,000 status offenders in secure institutions. We are not finished.

Thirty-nine of those States are in compliance with the separation mandate. However, almost half a million juveniles are still detailed in adult jails, and many of them are not sight and sound separated. The jail removal mandate, contrary to the position of this administration, has not been met. States are only now beginning to work on the implementation of jail removal plans. It is extremely complicated, it can be costly; but more than that, it requires a concerted effort by every single group in the State that has anything to do with kids in jails. That takes time.

In the last year, 1983, according to monitoring reports submitted by the States, there has been a 16- to 18-percent reduction in the number of juveniles detained. Many of the States have not been able to report on a full-year basis, and many of the States have not even gotten to the point where they can report any reduction at all.

Many States fear that if that mandate is not retained, there will be no removal efforts in their States. It is because of the mandate of the act, for the most part, that most States are now moving in this direction. States have been involved in doing many other things, and why they support and probably have supported the idea of getting kids out of jails, it was only with that mandate in 1980 that they actually began to do that. Without it, it will not happen.

Speaking as a citizen of the State of Maine, which is certainly a very rural State—it is also a large State, at least in terms of the eastern part of this country. Its coastline alone is 3,500 miles—Maine has one juvenile facility. It is in the southern part of the State. It is 8 hours away in good weather from the northern and the easternmost parts of the State. That means that those areas up there use county jails to detain juveniles.

Maine has never considered even applying for the low-population-density exception, because Maine is committed to getting kids out of jails. Maine does not believe that juveniles in the rural areas should be penalized because of an accident of geography. Maine has also decided it is totally out of the question to either build new jails or to try to bring our antiquated jails up to snuff.

Yes, our jails are approved, some of them, to hold juveniles. There is no way we could add to them, physically as well as staff, anything that would enable them to meet the requirements of the jail mandate removal. Consequently, we believe it is far cheaper in terms of money, not to mention far more humane, to develop community-based alternatives to jails. There are some kids who require secure detention. It does not have to be in a jail. That is the effort that we are trying to do. That is the direction we are going in. That is the direction a lot of States are going in.

So I think it is misleading to talk about jail removal only in terms of building new jails or modifying current jails and providing separate staff. I think States need to look at alternatives to jails themselves. It has been shown in some States that that is possible, and I think that is the direction most of the States are going in. So the State Advisory Groups strongly support continuation of that jail removal amendment.

I also would like to report to you that the States believe that the reason the act has been so effective is because of title II, the very piece of the act that the current administration wishes not to reauthorize. Title II contains the formula grant provision of that act.

Under that part, more than half of the money appropriated to the act is returned to the States. The States make decisions based on Federal leadership direction as to how best meet the mandates of the act based on State and local priorities. That requires the involvement of citizens in every State making those decisions. Those citizens are often found on the State Advisory Groups, who then take upon themselves the advocacy role to make sure that these things happen, the coordinating role to make sure the various State departments and the local agencies are talking to each other and planning together.

The formula grants program has enabled the States to comply with, to the extent that they have, the mandates of the act as passed by Congress. If you take away that piece, we will lose much, if not most, of all of the progress that we have made in the last 10 years.

I fail to understand why this administration, which is so big on States' rights and giving things to the States and involving the States, wants to take away the very piece that has States' rights and responsibilities in it. This act is a perfect example of a Federal, State, and local partnership. And now, all of a sudden, after 10 years of commitment on the part of the State and local communities, the Federal partner wants out.

The cost of this program is less than the cost of operating our military bands. If we can spend $100 million a year on military bands, it seems to me we can spend $70 million a year on taking care of the juvenile delinquents, the status offenders, the runaways, and whatever, that are covered under this particular act.

I strongly urge you on behalf of all the State advisory groups that the formula grant program be retained, that the mandates of the act be retained.

States are not in a position, contrary to what you heard earlier, to assume the costs of this program. States are faced with severe budget constraints. They are also faced with cutbacks in the Federal Government in terms of money that is actually going to the States.

States have, in good faith, followed the thought behind this act, which was to use the juvenile justice money for seed money to pilot programs, to fund new and innovative ways to try things and, if they work, States and local communities will pick up the costs. That has happened. Many of these programs have been continued by State and local funds. There is no way that most States can pick up the bulk of the money that is currently coming from the Federal Government to continue these efforts.

In terms of prevention, I would like to just state very briefly that that remains an area of great interest to the States. The State advisory groups strongly support primary prevention activities. There are programs now that are being put into effect that have demonstrated excellent results. These are programs that were done after the 1981 report which was quoted to you earlier.

Just as a quick example of that, New Mexico has a school climate improvement program that the State advisory group funds with the Department of Education, local school disricts, and others. Currently, that program is in over 50 school systems.

The first school to participate reported the following results after 1 year. The number of students on the honor roll increased by 142 percent, truancies and absenteeism decreased, the percentage of students receiving failing grades was reduced by 10 percent in grade 6 and 3 percent in grade 7, the number of discipline referrals dropped from 300 to 120, deficiency reports from 426 to 287, serious discipline referrals from 75 to 30, and petty discipline referrals from 75 to 15. Clearly, there are programs that can be started that do have an effect in terms of preventing delinquency or troublesome behavior.

This bill, your bill, H.R. 4971, has just been introduced, State advisory groups have not been able to respond specifically to some of the amendments. However, we have taken positions on several issues relating to reauthorization, and copies of the complete list of positions is included with my written testimony.

There are few things I would like to just briefly comment on in terms of your specific bill. State advisory groups hope that the clarification of section 222(1)(14), which is the jail removal mandate section, will serve as a positive step toward the ultimate goal of complete jail removal. We recognize the difficulties in meeting that mandate. We, more than many others, know firsthand how difficult it will be to do that. Nonetheless, we are truly committed to making that happen. We hope this clarification will be a positive step towards that goal.

We do have a question as to whether greater numbers of children will be detained in jails under that provision, and we would ask that you keep that in mind as you work though this process.

State advisory groups do believe that, because of their membership composition, they are in the best position to determine the juvenile justice needs in their own States and, therefore, State advisory groups should have final planning and funding authority in regard to the Juvenile Justice Act. Currently, 35 States do have such final authority.

State advisory groups appreciate very much your amendment to provide for a State advisory group conference at least every 2 years. We believe that is an essential forum for us in order for us to do our jobs in implementing the act at the State level. We have not had a State advisory—we have had one State advisory group conference in the last 3 years, and the Office of Juvenile Justice has refused to fund a State advisory group conference this year. Therefore, we greatly appreciate that particular amendment.

State advisory groups also support the 5-year reauthorization period, because we believe it will provide greater stability to the program and enable us to do the long-range planning and efforts necessary to accomplish the mandates.

State advisory groups also support a competitive bidding process for special emphasis funds with timely public announcement as to the availability of such funds.

There is also a great deal of support for your amendment to prohibit biomedical or behavior control experimentation on individuals or any research involving such experimentation.

In addition, we continue to strongly support the Runaway and Homeless Youth Act.

States are very concerned about the direction currently being taken by the Office of Juvenile Justice. We have worked closely with the office in the past to fulfill congressional intent with regard to the act. We question the kind of leadership that encourages noncompetitive bidding and bizarre and frightening proposals on sick and questionable subjects.

We have grave concerns about proposals dealing with biological indicators and the forms of mind control at the expense of individual rights. How will children be selected to view pornographic material? And once they have reacted to that material, what will happen to them? After they have prescreened and preidentified predelinquents, what will they do with them?

We need that money to put towards meeting the mandates of the act. We question whether these types of proposals are appropriate for the Office of Juvenile Justice in terms of preventing and providing services for deliquents.

I would like to make one comment on the data. Data collection is a tremendous problem, and it has been. I will say that great strides have been made to improve that. One of the reasons those strides have been made is because the act has required it. But States do find it difficult to gather those data. That is a problem within individual States. So, yes, your statistics may not be totally accurate, but I do believe that the statistics that you have been presented, for the most part, to date do reflect an accurate picture of what is happening in the States.

Our data collection efforts in Maine have helped put into place or encourage the use of a uniform reporting system among our county jails. We have jails where we have gone in to monitor compliance. We have jails where they keep their records in a shoebox. They sort of flip through them, and maybe they can find them and maybe they can't, and maybe they can tell you the committal offense or why the kid is being held, but maybe they can't. I don't think Maine is unusual in that, but we are working on that.

But that is part of the act. If we lose the act, we lose the impetus to provide that kind of systematic data which everybody is asking for.

Just one brief statement on runaways. It has been my experience and the experience of many others involved in juvenile justice that children run away from things, they run away from situations that are hurtful or harmful to them. They don't run away to group shelters.

As the mother of three teenage sons who, fortunately, have not yet chosen to run away—although there are times when I think it might not be a bad idea—I would rather have my children run away and be on the street than I would ever have one of them in a jail or a secure institution. They are safer on the streets than they are in jails.

I think it is important to keep in mind that runaways can be better served in other ways, that status offenders can be better served in other ways. So what if the recidivism rates aren't any different. Isn't it more humane to keep kids in group shelters and community-based programs than it is in a secure institution?

I think that, in much of this talk, there has been too much attention being given to cost, monetary cost. That is not to say that is not important, but you have to balance that with human costs. I urge you to keep that in mind when you take into account some of these comments about States can't afford to this. States can't afford not to do some of these things.

I would be pleased to answer any questions you may have. I would be pleased to pledge to you that the State advisory groups will assist you in your efforts in any way possible in the reauthorization of the Juvenile Justice and Delinquency Prevention Act.

Mr. ANDREWS. Thank you very kindly.

We do make mistakes, and I think we made one today. We should have had Mr. Regnery here at 10:30 and put him on as the last witness rather than the first. [Applause.]

Mr. ANDREWS. But obviously you are doing a good job. Without that kind of commitment that you and your groups have, the act, of course, could not accomplish any purpose. Thank you very much.

Let me tell you, if I may, a quick little personal story. The first time I sought political office was in 1958. I ran for the State senate then in North Carolina. My opponent's name was Van Thomas, a very fine person and a good friend.

In 1980, I went to Maine and I went to Portland to a facility—I say a facility—a program that was operated under this act, a pilot program, one of several, having to do not with these matters exactly, but with restitution. I visited it and enjoyed it very much. I thought they had a good program. I also talked with some of the judges and sheriffs and others. It had a good reputation.

Anyway, as I started to leave, I met a young woman who happened to be there, and she was Van Thomas' daughter. I thought that was quite an unusual experience. If you should happen to be there—she was not married, and I have forgotten her first name, but unless she has since married, her last name remains Thomas—please give her my regards.

Ms. Carlisle. I certainly will. Maine is a small State, and I may be able to find her.

Mr. Andrews. I hope that you will.

Thank you very much for your good work and your brilliant testimony.

I hope that you will arrange somehow, even if you can't persuade them to have that national conference—why can't you arrange to go see Mr. Regnery himself about this program?

Ms. Carlisle. Do what?

Mr. Andrews. Why can't you go see Mr. Regnery and tell him some of the things you have told us, since he is not here to have heard that?

Ms. Carlisle. I told Mr. Regnery all of the wonderful things I told you, and he is the one who has refused to put on a conference for us.

Mr. Andrews. Yes, I know. Maybe we know why, also. [Laughter.]

Ms. Carlisle. I forgot to say—I did want to comment on the boy who was riding the dirt bike and was not released on bond.

There are a lot of States in which juveniles may not be released on bond. Maine has no provision for bond for juveniles.

Mr. Andrews. Really?

Ms. Carlisle. If the kid is picked up for whatever and placed in a jail, he stays there until either there is a court hearing or an intake worker authorizes release. But there is no bond at all.

Mr. Andrews. If somebody will raise the money to take that to the Supreme Court, I will guarantee you you will have a law or a ruling from the supreme court in Maine that you can't do that. That is a violation of the U.S. Constitution.

Ms. Carlisle. I will have to do something about that when I get back.

Mr. Andrews. In my opinion it is.

Again, we thank you.

Mr. Andrews. Next we have Shirley Cupery and Marilyn Beggs, the first being the Wilmington National PTA vice president for leadership services; and Marilyn being the National PTA vice president for region 5 from Lincoln, NE. We welcome both of you here.

[Prepared statement of Shirley Cupery and Marilyn Beggs follows:]

PREPARED STATEMENT OF SHIRLEY CUPERY, NATIONAL PTA VICE PRESIDENT FOR LEADERSHIP SERVICES, AND MARILYN BEGGS, NATIONAL PTA VICE PRESIDENT FOR REGION 5

Mr. Chairman and Members of the Subcommittee on Human Resources, the National PTA appreciates this opportunity to appear before you regarding the reauthorization of the Juvenile Justice and Delinquency Prevention Act.

A priority for our assocation is to maintain the federal role in delinquency prevention and child protection. We wish to thank you, Mr. Chairman, for your consistent leadership in this area.

Nineteen hundred and eighty-four is a watershed year for juvenile justice programs. It is the responsibility of this Congress to decide whether the U.S will recommit itself to the goals and mandates it established in 1974 and reaffirmed in 1977 and 1980 under the Juvenile Justice and Delinquency Prevention Act.

The National PTA views the Act as an embodiment of legal principles pertaining to the rights of juveniles and an affirmation of the values held by the majority of Americans. These are:

Jail is not a suitable environment for young people.

Youth in need should be assisted by their communities; not isolated from them.

The Family unit should be strengthened so that juveniles can be retained in their homes rather than institutionalized.

Prevention of delinquency and community-based rehabilitation programs are *more effective than punishment.*

Children should be protected from arbitrary expulsions and suspensions from school and should instead participate in programs which instill in them an ownership of their education and a stake in their own futures.

Runaway and "throwaway" children should not be left to fend for themselves and to cope with the dangers inherent in street life. They should be provided with a safe, temporary haven in which they can receive physical and emotional support and assistance in being reunited with their families, if feasible, or placed in the least restrictive, appropriate setting.

Status offenders and non-offenders should not be placed in secure detention or in correctional facilities.

In may areas the Juvenile Justice and Delinquency Prevention Act is a success story. Dozens of states have revised their laws to meet the mandates of the statute and to use funds available under the formula grant program to implement the programs authorized. In addition, Title III, the Runaway and Homeless Youth Act, has been responsible for the funding of more than 200 shelters across the country and for support services for the growing numbers of homeless youth.

But there still remains much to be done to accomplish the objectives of the Juvenile Justice and Delinquency Prevention Act.

Today, 500,000 youths are incarcerated in adult jails and lock-ups even though less than 10 percent have been charged with violent crimes.

Today, 50,000 status offenders and neglected, abandoned young people are still held in secure detention to await juvenile court appearances even though two-thirds are released during those hearings.

The National PTA strongly supports reauthorization of the Juvenile Justice and Delinquency Prevention Act so that our young people will not lose those gains already accomplished and so that progress can be realized in those areas in which we have yet to meet the goals of the statute.

That is why the National PTA has endorsed the Missing Children's Assistance Act with its provisions to reauthorize juvenile justice and runaway and homeless youth programs.

In addition, we believe H.R. 4971 contains provisions of exceptional merit. These provisions strengthen the mandates of the statute, recognize the importance of the family unit, and prescribe guidelines to be followed in the Act's Administration and implementation.

The following amendment to the Juvenile Justice and Delinquency Prevention Act proposed in H.R. 4971 are of particular interest to the National PTA:

JAIL REMOVAL REQUIREMENTS

The National PTA Board of Directors adopted in August, 1983 a legislative directive pertaining to federal juvenile justice legislation. One aspect of that directive urges Congress to enact legislation that mandates the removal of juveniles from adult jails and lockups. As this position relates to the measure currently before the Congress, the National PTA believes that all states should be required to comply with such a mandate whether or not they choose to receive formula grant monies under the Junvenile Justice and Delinquency Prevention Act.

Although the jail removal amendment in H.R. 4971 still relies on the threatened loss of federal funds to encourage states to comply with the jail removal mandate by December 8, 1985, we believe the clarifying language regarding low population density areas is an improvement over the current law. The amendment defines the conditions under which a juvenile residing outside a Standard Metropolitan Statistical Area and awaiting an initial court appearance could be placed in an adult facility so as to further limit any such placement.

VALID COURT ORDER PROVISION

The National PTA opposed and continues to oppose the Valid Court Order Amendment enacted in 1980 because it contradicts the deinstitutionalization mandates of the law.

Although H.R. 4971 does not strike this amendment, it does provide a definition for "valid court order" that sets forth special restrictions on its application and requires the protection of the due process rights of juveniles. We believe that Congress should at least adopt this proposed language in order to prevent the arbitrary incarceration of junveniles who have committed no crimes.

SPECIAL EMPHASIS GRANT AWARDS

The National PTA has been deeply concerned that since 1981 the federal role in juvenile justice and delinquency prevention has been attacked by the Executive Branch of our government. Each year, the Administrtion has attempted to abolish the Office of Juvenile Justice and Delinquency Prevention (OJJDP). It has only been due to strong bipartisan efforts in Congress and the support of citizens across the country that the federal role has been salvaged.

However, while the current Administration has lost the battle to abolish OJJDP, it has nevertheless pursued a policy of shifting the emphasis of juvenile justice programs away from delinquency prevention, rehabilitative efforts and litigation on behalf of children to concentrate on harsher punishment for juveniles who commit crimes and on chronic and violent offenders.

Members of this Subcommittee may recall correspndence from our organization last Spring in which we voiced our concern over this change in direction. In addition, we pointed out that the OJJDP had cut off funding for major components of a school related delinquency prevention program at the same time that it was praising that very program in a brochure produced with National PTA for distribution to our members across the country. More recently, it has come to our attention that Special Emphasis and Research Grant awards are being made on a noncompetitive basis for projects that do not conform to the mandates or the spirit of the Juvenile Justice and Delinquency Prevention Act.

Therefore we praise the sponsors of H.R. 4971 for the provisions that : (1) Outline the activities that are consistent with the mandates and spirit of the Act and specify the proportion of funds that can be spent on them; (2) require that Special Emphasis and Research grants be awarded on a competitive basis so that organizations with the expertise and experience to make a meaningful contribution to the improvement of juvenile justice services and to the welfare and protection of youth will have an opportunity to apply; (3) provide for continuing congressional oversight of the awards process; (4) prohibit the use of Juvenile Justice and Delinquency Prevention Act funds for biomedical, behavioral and genetic research on young people.

MISSING CHILDREN'S ASSISTANCE

The National PTA supported the original Missing Children's Act of 1982 and strongly endorses an expanded federal effort to assist in locating missing children and reuniting them with their families. We have endorsed the Missing Children's Assistance Act (S. 2014 and H.R. 4300) and support the goals set forth in H.R. 4971. However, the National PTA believes that handling abducted children cases is a law enforcement responsibility and, therefore, that this new program (with its separate authorization) should be a function of OJJDP in the Department of Justice.

ADEQUATE FUNDING FOR JUVENILE JUSTICE AND RUNAWAY AND HOMELESS YOUTH PROGRAMS AND PERIOD OF AUTHORIZATION

The National PTA believes that without adequate funding we cannot attain the goals of the Act. Therefore we have recommended that the authorization levels be increased for both the juvenile justice programs and for Title III of the Act.

For Titles I and II we believe that $200 million annually is the minimum acceptable funding level. In order to maintain services we suggest: $200 million for FY 1985, $225 million for FY 1986, $250 million for FY 1987, $275 million for FY 1988, and $300 million for FY 1989. In addition, we support the provision contained in H.R. 4971 that would increase the proportion of funding for the formula grant program so that states and communities can further improve their juvenile justice programs and services.

In regards to Title III, we believe that actions taken by the Congress over the past two years to increase funding for runaway and homeless youth programs expresses a recognition of the growing needs in this area. At a minimum, the authorization level should be $25 million and we urge increases of $10 million each year up to $75 million for FY 1988 and FY 1989.

Also, the National PTA believes that the Juvenile Justice and Delinquency Prevention Act authorization period should be for five years (as stipulated in H.R. 4971) to provide more stability for its implementation and to remove the reauthorization period from the election year cycles.

LAW-RELATED EDUCATION

We commend the co-sponsors of H.R. 4971 for the section establishing a Law-Related Education Resource Center because our youth need to be legally literate to function successfully in our society.

The experience in school systems which have introduced law-related education has been that students are deeply interested in this subject, that it reduces delinquent behavior, and that it strengthens the respect of students for the "rule of law" that undergrids our democratic system.

EMPHASIS ON THE FAMILY AND FAMILY MEMBERS

The National PTA believes that the increased emphasis on the family in the proposed measure is a real step forward. It is impossible to work with a child in a vacuum. Each child is a member of some form of family and this family must be included and involved in a treatment process.

Juvenile judges need the latitude to set requirements and expectations of parents and other family members as well as the youth in trouble.

It has been shown that involvement of the extended family of a youngster successfully contributes to the rehabilitation of a delinquent. In addition, intense, short-term crisis intervention within the family of a troubled youth most often enables the family to begin to handle successfully their own affairs and to turn the child's behavior into positive channels.

REPRESENTATION ON FEDERAL AND STATE JUVENILE JUSTICE ADVISORY COMMITTEES

The framers of the Juvenile Justice and Delinquency Prevention Act envisioned broad-based representation on federal and state juvenile justice advisory committees of those with special knowledge and experience in youth services and delinquency prevention. Such representation is reaffirmed in H.R. 4971.

However, there is no language in the current law or in the proposed amendments that recognizes the valuable contribution that can be made by parents and those representing parent organizations. The National PTA, 90 percent of whose 5 million membership is comprised of parents, ugres that the Juvenile Justice and Delinquency Prevention Act be amended to mandate parent representation on federal and state juvenile justice advisory committees. Parents included in such committees should represent those whose children are in the juvenile justice system and those whose children are not.

The future of our country depends on what we do today to provide for our young people an environment in which they can develop strong bonds with their families, their schools and their communities. The mandates of the Juvenile Justice and Delinquency Prevention Act are vital to that process. That is why the National PTA believes one of the most important items of business before this Congress is to continue and, where necessary, strengthen the federal role in juvenile justice and delinquency prevention.

STATEMENTS OF SHIRLEY CUPERY, NATIONAL PTA VICE PRESIDENT FOR LEADERSHIP SERVICES, WILMINGTON, DE; AND MARILYN BEGGS, NATIONAL PTA VICE PRESIDENT FOR REGION 5, LINCOLN, NE

Ms. CUPERY. Thank you very much.

The National PTA greatly appreciates this opportunity to testify on behalf of our 5.3 million members, because a priority of our association is to maintain the Federal role in delinquency prevention and child protection.

We wish to thank you, Mr. Chairman, for your consistent leadership in this area. We do appreciate it.

We strongly support reauthorization of the Juvenile Justice and Delinquency Prevention Act, so that our young people do not lose the gains already accomplished, and so that the progress can be realized in those areas in which we have yet to meet the goals of the statute.

There are some specific amendments which are contained in H.R. 4971 that are of particular interest to the National PTA, and I would just like to comment on them.

First, the jail removal requirements. The National PTA, at its convention last June, and then by the board of directors in August, adopted a directive that urges Congress to enact legislation that mandates the removal of juveniles from adult jails and lockups. As this position relates to the measure currently before this committee, we believe that all States should be required to comply with such a mandate, whether or not they choose to receive the formula grant money.

Although the jail removal amendment in H.R. 4971 still relies on the threatened loss of Federal funds to encourage States to comply, we do believe that the clarifying language that you have inserted regarding the low population density areas is an improvement over the current law, by defining the conditions under which a juvenile residing outside a standard metropolitan statistical area and awaiting an initial court appearance could be placed in an adult facility to as to further limit such a placement. So we do support that limitation.

However, we do have a caution. We are concerned that in many jails in rural areas, the only place that the juveniles are held separately is essentially in solitary confinement.

I would like Mrs. Beggs to speak to that from a direct experience she has had in Nebraska.

Ms. Beggs. I visited all 96 county jails in Nebraska to see where they held juveniles. I found that the majority of those places had to be the hole in order to separate them as they felt the law required.

I also found that most county officials and county sheriffs were most distressed with this and wanted to do something different, but there was not the money to do it.

Nebraska has long distances to travel. We don't have mountain passes to go over as they did in Colorado, but we do not have facilities that are easily obtainable for some of these rural areas. Sometimes the sheriffs felt so badly about the child having to be in the hole that they would even, contrary to what might be safe, take them to their own home and then bring them back into court when it was necessary.

But I would urge you to remember this or think about it as you work on this act.

Ms. Cupery. In the valid court order provision, the National PTA opposes, and continues to oppose, a valid court order amendment enacted in 1980 because it contradicts the deinstitutionalization mandates of the law.

But although the current bill doesn't strike this amendment, it does provide a definition that sets forth some specific restrictions on its application and requires the protection of the due process rights of juveniles. So we do believe that Congress should at least adopt this proposed language in order to prevent the arbitrary incarceration of juveniles who have committed no crimes.

However, we would like to point out that even when a child has violated a valid court order, this does not necessarily mean that he has to be placed in a detention facility. In fact, I would like Mrs. Beggs to explain to you a program which was funded in Nebraska under funds from juvenile justice funds which diverted such children out of detention facilities.

Ms. BEGGS. I worked under a grant that allowed me to recruit foster homes and then to train those people in foster homes. We developed some homes that were primarily for the youngster who had revocation of probation. The whole grant was entirely for teenagers, and it was for the hard-to-place teenager or the teenager who might be institutionalized.

We were able over a year's time to recruit 45 homes. Of those 45, almost half were able to take the kind of youngster where you would revoke the probation under a valid court order. We found that this worked very well.

As a matter of fact——

Mr. ANDREWS. Was that in Nebraska only?

Ms. BEGGS. Yes, that was in Nebraska that I did this.

Mr. ANDREWS. What was the source of that grant?

Ms. BEGGS. The source of the grant was under this act.

Several years ago—we had had many foster children in our home, and there have been several of them that the judge had considered unplaceable that we have taken. Quite a few years ago, we took one boy that the judge considered one of the worst he ever had go through his court. That boy lived with us for years. He completed high school and he finished college, and he is now a working, contributing member of society.

Mr. ANDREWS. When you say "our home," do you mean your family home?

Ms. BEGGS. My own personal home, yes.

So I do know that if you train people to work with these kinds of people, there are places you can put them that are not institutions.

Ms. CUPERY. I would like to tell you that Mrs. Beggs had had at this point a total of 46 foster children living with her, most of them teenagers who were hard to place. By the time she goes home, it may be up to 47.

Ms. BEGGS. I hope not.

Ms. CUPERY. We are very concerned that the current administration has attempted to abolish the Office of Juvenile Justice and Delinquency Prevention. While this was not successful, it has pursued policies which have shifted the emphasis from juvenile justice programs away from delinquency prevention and rehabilitative efforts on behalf of children to concentrate on harsher punishment and on chronic offenders.

I dispute Mr. Regnery's contention here today that we should concentrate on chronic offenders. That just guarantees an ever-escalating pool of chronic offenders who are not channeled out of the system before they become chronic offenders.

The National PTA distributed to our members a brochure printed in cooperation with the OJJDP which talked about juvenile delinquency prevention programs in the schools. At the same time we were appraising that program in the brochure distributed with OJJDP funds, Mr. Regnery cut off the funds to the program.

There are many successful diversionary efforts to keep children from being expelled or suspended. When you suspend or expel a child and put him on the streets, that is an open invitation for him to become involved in the kind of behavior that is going to bring him into court. There are many successful efforts on inschool suspensions, on alternative programs.

There is one in my district that I am intimately familiar with which has a very successful record of pulling children out and giving them intensive remedial instruction and very intensive counseling. We are averaging about 6 months in that program before we are successfully mainstreaming them back into the regular high school programs. They do work, and they are alternative to putting children out where they are going to commit crimes because they have nothing else to do.

We would like particularly to praise the sponsors of this bill for the provisions that outline the activities that put some restrictions on the special emphasis and research grant awards and make sure that they are awarded on a competitive basis, that require that there be a competitive process, so that organizations with the expertise and the experience can make a meaningful contribution to the improvement of juvenile justice services will have an opportunity to apply, that provide for the congressional oversight of grants that awarded, and that prohibit use of the juvenile justice delinquency prevention funds for biomedical and behavioral and genetic research on young people.

It is very important that we solicit the best available proposals. Recent grants, such as those to the Rand Corp., which are predicated on determining the biological characteristics of predelinquent children as to whether they are left-handed or the shape of their ear lobes, are a travesty to the American system of justice, they are a travesty of the American value system. We need this sort of provision to ensure that valid research efforts are funded, research whose results are not predetermined.

We strongly endorse the missing children assistance part of this. However, we do believe that handling abducted children cases is a law enforcement responsibility, and that this new program with its separate authorization should be a function of OJJDP and the Department of Justice rather than in the HHS.

Finally, I really would like to talk about the funding levels for this act. For titles I and II, we believe that $200 million annually is a minimum acceptable funding level in order to maintain services we suggest, and we talk about some escalations in future years.

In regard to title III, we believe that the actions taken by Congress to increase the funding over the past 2 years express a recognition of the growing needs in this area. At a minimum, we feel that this should be funded at $25 million.

These are not large amounts of money in comparison to many other things that we spend our money on. These are an investment in children, and they are going to pay off in the long run in much less cost of coping with these same children if they continue to develop through the juvenile justice system and then graduate to the criminal justice system for adults.

I would like to say that we do not feel that the States can do this themselves. We strongly support Governor Robb's statements that there does need to be a continuing Federal role, many of these programs do need to be demonstrated and, when they are demonstrated successfully, they have been carried on, there does need to be Federal leadership. We do not need to go around reinventing the wheel. There has to be mechanisms to share successful programs, and there needs to be Federal leadership to do it.

We are particularly concerned with the adequate funding for the runaway and homeless youth program, despite Mr. Regnery's contention that runaway shelters are a failure and a revolving door. We dispute that. We have many examples of very effective runaway shelters that are working.

I would like Mrs. Beggs to conclude by talking about a runaway shelter she has been involved with.

Ms. BEGGS. Several years ago, we started with the Freeway Station, which was a runaway shelter. We had several things that were somewhat different from some runaway shelters. Parents must be notified immediately after a child gets there, and then we look into what needs to be done, what the child is running from, and so on.

We need Federal money to maintain that shelter and the group homes that we have. In the shelter we make every effort to reunite a family, but we do need to be honest and say that some families cannot be reunited because of some of the things that have been happening to the children in that home. On the other hand, we have children who have run away from home where there needed just to be better understanding.

But in order to continue to fund this home, we have to have rummage sales, and we have to have garage sales, and we have to have bake sales, and we have to go out and ask for contributions within our community. Without the Federal money, we probably would be doing even more of these. But how ridiculous to do that kind of thing and to cut away the money, when what you are really doing is protecting a child from some of the things that they might get into on the streets, or if they had to be put in jail, which is equally as dangerous. We do need the Federal money. Our county and our State and our local community cannot afford all of the things that are now falling upon us to provide.

I can say from experience that I know one runaway shelter that has worked.

Ms. CUPERY. I would just like to say in conclusion that the National PTA feels very strongly that the future of our country depends on what we do today to provide for our young people an environment in which they can develop strong bonds with their families, their schools, and their communities.

The mandates of the Juvenile Justice and Delinquency Prevention Act are vital to that process. That is why we believe that one of the most important items of business before this Congress is to continue and, where necessary, to strengthen the Federal role in juvenile justice and delinquency prevention.

Thank you.

Mr. ANDREWS. Thank you very much for what you, as representatives of the PTA, have and are doing, for your testimony here, and for what you as individual ladies are doing.

Incidentally, speaking of the money, I might just share something with you. Chairman Jamie Whitten is chairman of the Appropriations Committee of the House. He is the senior Member in the Congress, having been here 43 years. He has been chairman of the Appropriations Committee a long, long time, and he knows the Federal budget and things such as those you address in terms of where money should go.

The fiscal year ended on September 30, as you probably know. And you know what the budget calls for in terms of military expenditures for the coming year. Last Saturday morning Jamie told me that on October 1 of this year, the military budget—in other words, the Pentagon—had a carryover of $172 billion.

Ms. BEGGS. That is a disgrace.

Mr. ANDREWS. Thank you very much.

Ms. BEGGS. Thank you.

Ms. CUPERY. Thank you.

Mr. ANDREWS. Our next witness is Mr. Alan M. Olszewski, assistant director, National Legislative Commission for the American Legion.

[Prepared statement of Alan M. Olszewski follows:]

PREPARED STATEMENT OF THE AMERICAN LEGION, WASHINGTON, DC, PRESENTED BY ALAN M. OLSZEWSKI, ASSISTANT DIRECTOR, NATIONAL LEGISLATIVE COMMISSION, THE AMERICAN LEGION

Mr. Chairman and members of the Subcommittee, on behalf of The American Legion I thank you for this opportunity to again provide support for a program which we believe is essential to the future well being of our nation's children. As early as 1931, The American Legion became concerned with the many problems of juvenile delinquency and started to urge state governments to deal more realistically with the needs of the juvenile offender through the establishment of adequate standards for state juvenile court administrations, juvenile detention homes and juvenile correctional care. During the five decades that followed, The American Legion continued to recommend a variety of actions to address the problems of juvenile delinquency which include:

The formation of community coordinating councils to promote adequate child welfare services to help prevent juvenile delinquency (1936).

Urge the proper training and rehabilitation of juvenile delinquents so they may become more productive citizens (1940).

Encourage and cooperate with the Department of Justice in organizing regional institutes to investigate the means of preventing juvenile delinquency (1946).

Urge that adequate equipment, personnel and programs be instituted in youth detention homes and training institutions (1952).

Support the providing of federal grants to states for the support of programs of public and nonprofit agencies designed to prevent juvenile delinquency, with emphasis on a training corrections personnel (1955).

Urge intensified efforts to inform the general public about juvenile delinquency and initiate sound community efforts for its prevention and treatment (1955).

Support the revision of state laws on juvenile delinquency to bring them up to date with current needs (1955).

Wholeheartedly support the Joint Commission on Correctional Manpower and Training and urge the findings of this commission be implemented following its final report (1968).

Urge and assist school boards and state educational agencies to develop programs to reduce and prevent violence and vandalism in schools (1980).

Support full funding for the continued operations of the Office of Juvenile Justice and Delinquency Prevention (1981).

It is for the above reasons, Mr. Chairman, that The American Legion had enthusiastically placed its support behind the Juvenile Justice and Delinquency Prevention Act of 1974 during its initial authorization. Our ongoing support for the Act, however, is based on our confidence that through its provisions, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has been able to initiate and accomplish several of the Legion's recommended actions.

We remain convinced that as a problem which is felt nationwide the matter of juvenile crime and delinquency becomes an unquestioned responsibility of the Federal Government who must provide the necessary funds, technical expertise, coordination, and rapid dissemination of information concerning successful research models to State and local governments. Federal involvement of this type will provide the badly needed resources and methods which can then be tailored to the specific needs of individual schools and communities.

Only through coordination on a federal level have projects such as restitutions by juvenile offenders been made possible with preliminary statistics indicating it to be a success. Project New Pride is also one of these programs and has demonstrated encouraging results with serious juvenile offenders who have failed in traditional programs. The Violent Juvenile Offender program which is a major research and development project would also not be possible without a coordinated federal effort.

These are only a few of the necessary programs and information and training resources which have been made possible through the enactment of the Juvenile Justice and Delinquency Prevention Act of 1974. Frankly, we of The American Legion view the youth of our nation as one of its most valuable resources and feel that the reauthorization of this act is an essential element in our efforts to assist every child to become a productive citizen. Not only are such efforts needed for the well being of the youth of our nation but they are necessary for the safety of our citizens as well.

Mr. Chairman, we would like to applaud and support the inclusion of the Missing Children's Assistance Act into the provisions of HR 4971. As organizations composed of 3.5 million war time veterans and their families, The American Legion and its Auxiliary have known the unending agony of a missing loved one. The establishment of a National Bureau of Missing Children capable of compiling all available information on a national scale should greatly enhance the ability to locate missing children and reunite them with their families. Again, Mr. Chairman, we support this effort and point out that it is yet another example of what becomes possible through a thoughtfully conceived federal program such as this act.

Among the current priorities of The American Legion in the areas of juvenile justice are the treatment of serious and violent juvenile offenders and the problems of violence and vandalism within our schools. Copies of each of these resolutions are attached for the information of the Subcommittee.

In summary, Mr. Chairman, we are firmly convinced that the reauthorization of the act is essential to the future well being of our youth and would urge your expeditious consideration of this measure. Thank you again for the opportunity to present the Legion's views on this matter.

RESOLUTION NO. 25: SUPPORT FOR OFFICE OF JUVENILE JUSTICE

(By National Executive Committee Meeting, American Legion, Indianapolis, IN, May 6-7, 1981)

Whereas the National Commission on Children & Youth is vitally concerned about the high levels of violent crime committed by juveniles in this nation each year; and

Whereas the Juvenile Justice Delinquency Prevention programs now promoted by the Office of Juvenile Justice have proven very effective in many states; and

Whereas the proposed block grants for states will not specifically earmark funds for delinquency prevention programs and, therefore, such programs may be significantly limited or even eliminated: Now, therefore, be it

Resolved, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, May 6-7, 1981, That The American Legion opposes any and all efforts to eliminate the Office of Juvenile Justice and its programs because of a lack of appropriate funding; and, be it further

Resolved, That the need to bring the national economy under control cannot overshadow or ignore the need to further the Office of Juvenile Justice and its programs which may be our only national defense against an impending escalation of juvenile crime in America.

RESOLUTION NO. 762: VIOLENCE AND VANDALISM IN THE SCHOOLS

(By National Convention, Boston, MA, Aug. 19-21, 1980)

Whereas Juveniles account for almost half the arrests for serious crimes in the United States; and

Whereas Numerous elementary and secondary schools across the country are experiencing serious and at times critical levels of violence and vandalism; and

Whereas Schools in America spend in excess of $500 million on vandalism each year; and

Whereas The impact of violence and vandalism in our schools affects the morale of students, teachers, administrators, parents, and impedes educational advancement and fosters patterns of juvenile delinquency; and

Whereas Violence and vandalism in our nation's schools result in enormous loss of educational resources and human potential and contribute to the high rates of juvenile delinquency within the United States: Now, therefore, be it

Resolved, By The American Legion in National Convention assembled in Boston, Massachusetts, August 19, 20, 21, 1980, That school boards and state educational agencies develop a balanced and effective program to reduce and prevent violence and vandalism; and, be it further

Resolved, That the local Posts urge and assist those in the educational community to join together with juvenile authorities and child-serving institutions in efforts to reduce the development patterns of deliquency in schools; and, be it finally

Resolved, That the Congress of the United States enact appropriate legislation to establish a grant program to assist those schools in need in bearing the financial burden of implementing these programs.

STATEMENT OF ALAN M. OLSZEWSKI, ASSISTANT DIRECTOR, NATIONAL LEGISLATIVE COMMISSION, AMERICAN LEGION, WASHINGTON, DC

Mr. OLSZEWSKI. Thank you, Mr. Chairman.

In compliance with your request, Mr. Chairman, I have cut a bit out of my statement, and I will be brief. In fact, if you want, I can speak quickly.

On behalf of the American Legion, I thank you for this opportunity to again provide our support for a program which we believe is essential to the future well-being of our Nation's children.

As early as 1931, the American Legion became concerned with the many problems of juvenile delinquency and started to urge State governments to deal more realistically with the needs of juvenile offenders through the establishment of adequate standards for State juvenile court administrations, juvenile detention homes and juvenile correctional care.

During the five decades that followed, the American Legion continued to recommend a variety of actions to address the problems of juvenile delinquency, which are detailed in my complete statement.

It is for these reasons, Mr. Chairman, that the American Legion had enthusiastically placed its support behind the Juvenile Justice and Delinquency Prevention Act of 1974 during its initial authorization. Our ongoing support for this act, however, is based on our confidence that, through its provisions, the Office of Juvenile Justice and Delinquency Prevention, OJJDP, has been able to initiate and accomplish several of the Legion's recommended actions.

We remain convinced that, as a problem which is felt nationwide, the matter of juvenile crime and delinquency becomes an unquestioned responsibility of the Federal Government, who must provide the necessary funds, technical expertise, coordination, and rapid dissemination of information concerning successful research models to State and local governments. Federal involvement of this type will involve the badly needed resources and methods which can then be tailored to the specific needs of individual schools and communities.

Only through coordination on a Federal level have projects such as the restitutions by juvenile offenders been made possible with preliminary statistics indicating it to be a success. Project New Pride is also one of these programs, and has demonstrated encouraging results with serious juvenile offenders who have failed in traditional programs. The violent juvenile offender program, which is a major research and development project, would also not be possible without a coordinated Federal effort.

These are only a few of the necessary programs and information and training resources which have been made possible to the enactment of the Juvenile Justice and Delinquency Prevention Act of 1974. Frankly, we of the American Legion view the youth of our Nation as one of its most valuable resources and feel that the reauthorization of this act is an essential element in our efforts to assist every child to become a productive citizen. Not only are such efforts needed for the well-being of the youth of our Nation, but they are necessary for the safety of our citizens as well.

Mr. Chairman, we would like to applaud and support the inclusion of the Missing Children's Assistance Act into the provisions of H.R. 4971. As organizations composed of 3.5 million wartime veterans and their families, the American Legion and its auxiliary have known the unending agony of a missing loved one. The establishment of a National Bureau of Missing Children capable of compiling all available information on a national scale should greatly enhance the ability to locate missing children and reunite them with their families.

Again, Mr. Chairman, we support this effort and point out that it is yet another example of what becomes possible through a thoughtfully conceived Federal program such as this act.

Among the current priorities of the American Legion in the area of juvenile justice are the treatment of serious and violent juvenile offenders and the problems of violence and vandalism within our schools. Copies of each of these resolutions are attached for the information of the subcommittee.

In summary, Mr. Chairman, we are firmly convinced that the reauthorization of this act is essential to the future well-being of our youth, and would encourage your expeditious and favorable consideration of this measure.

Also, Mr. Chairman, if I may, I would like to compliment yourself and the staff on H.R. 4971. We view it as a strong bill which represents a substantial improvement over the current act, and would like to reassure you that the Legion will stand behind this bill until it is enacted.

Thank you.

Mr. ANDREWS. From one legionnaire to another, thank you very much.

Mr. OLSZEWSKI. My pleasure, Mr. Chairman.

Mr. ANDREWS. And thank you for the support of the organization. Thank you, sir.

Mr. PETRI [presiding]. The next witness is Margaret Preska, a member of the board of directors of Camp Fire, Inc., Mankato, MN; accompanied by Arnold Sherman, national executive director of Camp Fire.

As a Norwegian, I always look with a special way toward Minnesota. In fact, we have an old saying, "I don't I like here in the United States, I am going back to the old country, to Minnesota."

We welcome you, and we look forward to your testimony.

[Prepared statement of Margaret Preska follows:]

Prepared Statement of Margaret Preska, Member, Board of Directors, Camp Fire, Inc., Mankato, MN; Prepared Statement on Behalf of Camp Fire, Inc., Washington, DC

On behalf of Camp Fire, I would like to thank you for the opportunity to testify before this Subcommittee on the reauthorization of the Juvenile Justice and Delinquency Prevention Act. However, before I speak to this issue, I would like to briefly tell you a little about Camp Fire and about our experience with juvenile justice and delinquency prevention, particularly the deinstitutionalization of status offenders.

Camp Fire is a not-for-profit national organization that was founded in 1910 as Camp Fire Girls. Its purpose is to provide opportunities for youth to realize their full potential. As an organization, Camp Fire strives to improve those conditions in society that affect youth.

There are today over 300 councils chartered by Camp Fire, serving a half-million girls and boys in nearly 35,000 urban, rural, and suburban communities. The philosophy and values are as timely today as they were nearly a century ago, but the programs and priorities within Camp Fire have nearly a century ago, but the programs and priorities within Camp Fire have changed over the years, reflecting the changing world we live in. As social conditions have altered, Camp Fire has responded with programs designed to meet the needs of youth.

The physical and mental health of children and youth have long been priorites for Camp Fire. In keeping with these priorities, the national board of Camp Fire in 1981 adopted a strong statement supporting deinstitutionalization of status offenders. In summary, the statement of principles recommends that:

Status offenders should be removed from all secure facilities.

Status offenders should be removed from both secure and nonsecure facilities that also house adult offenders.

Community-based programs for status offenders should be provided.

Deinstitutionalization of status offenders should be accompanied by funding to assure adequate alternative services.

Special attention should be given to girls and minorities, who are over-represented in the institutionalized status offender population.

Jurisdiction over status offenders should be removed from the juvenile court.

These basic principles were adopted by Camp Fire's national board in 1981 because the statistical information regarding the treatment of status offenders was most disturbing. Current conditions continue to warrant alarm:

According to the National Coalition for Jail Reform, 500,000 young people under 18 end up behind bars in adult jails and lockups each year. Only 5 to 10 percent have been charged with a violent crime.

25 percent are accused of status offenses, or no offense.

The majority of these young people are in jail awaiting court appearance. Yet, at the court hearing, two-thirds are released.

For every 100,000 young people put in jail, 12 will commit suicide. No matter what the charge, for them jail is a death penalty.

Many children are held in secure institutions only because they are abandoned, neglected, or abused by their families.

It has been suggested that many of these young people are institutionalized because they have nowhere else to go. However, many organizations have provided programs that are an alternative to institutionalization. At the local level, Camp Fire councils have provided alternative programs that carry out the statement of principles adopted by our board. Examples of Camp Fire programs are:

In Tucson, Arizona, the Tucson Area Council of Camp Fire has a program for status offenders and at-risk teens aged 14-17. The program pairs these teens with an adult, and together they act as a "leadership team" for a club of younger Camp Fire members. Each club meets weekly and meetings are held after school in inner-city neighborhoods. Members of the "leadership teams" receive leadership training, and the youth are paid a stipend. The youth in the program develop a positive self-image and develop basic job skills through involvement in this program. Many of these status offenders are dropouts, and many change their attitude toward school. The program provides informal counseling and role model opportunities. The average cost per participant is $100.

In Grand Rapids, Michigan, the Keewano Council of Camp Fire has a special program which targets teenaged girls 13-17 who are considered status offenders and who are residing in local facilities. The girls are offered the opportunity to serve as assistant club leaders in regular Camp Fire clubs, as well as clubs for handicapped youth. These status offenders are referred by agencies, and after training they are matched with a group leader. They learn how to work with children, and at the end of the year the girls receive awards and letters of reference to help them in seeking employment.

The Walla Walla, Washington Camp Fire Council has contracted with the Department of Court Services to administer the Juvenile Diversion Program. The program provides an alternative to juvenile court for first-time or minor offenders. In this program, youth sign a "diversion agreement" which obligates youth to participate in activities such as counseling, community service, or making restitution. In 1982, 267 youth signed diversion agreements. Only one percent of those who signed agreements failed to complete the requirements.

In 1974, Congress, through the Juvenile Justice and Delinquency Prevention Act, mandated that status offenders be removed from juvenile detention and correctional facilities. An amendment included in the 1980 reauthorization of the JJDP Act calls for complete removal of all juveniles from adult jails and lockups by 1985. Under these programs, many things have been accomplished. For example:

According to OJJDP, the number of status offenders and non-offenders in secure facilities has been reduced by approximately 8 percent over the past five years.

During the period 1980 to 1981, there was a 32.8 percent reduction in the number of juveniles held in regular contact with adults in jail.

Although there has been substantial progress in the deinstitutionalization of status offenders and non-offenders, and although some states have been found to be in full compliance with this provision of the act, there is still much to be accomplished. If federal support for the Juvenile Justice and Delinquency Prevention Act is eliminated, monitoring requirements to assure deinstitutionalization would cease, and the incidence of incarceration of non-criminal youth could rise dramatically. Even if states continued these deinstitutionalization efforts on their own, the majority of states are experiencing budget cuts that would almost assure the shut-down of many alternative programs, especially those established since adoption of the Act.

We have already begun to retreat from Congress' initial intent of mandating improvements and reforms in services to at-risk youth. For instance, the "Valid Court Order" provision, added in the 1980 reauthorization, allows arbitrary judicial rule and allows punitive institutionalization. The funding and support of youth advocacy efforts by OJJDP has been eliminated. Advocacy efforts are constructive criticism of non-productive juvenile justice policies and procedures by local groups and have led to needed legislative reform in over 35 states. These efforts must continue if further progress is to be made.

Many of the past decade's real gains for children and communities could quickly dissipate without continued strong and unyielding federal leadership. The administration has declared "victory," but the battle has not yet been won. In particular, by declaring "victory" in the deinstitutionalization of status offenders, we are overlooking:

Increases in numbers of youth kept confined less than 24 hours.

Increases in involuntary, secure hospitalization of kids in profit-making institutions.

Increases in labeling status offender behavior as more serious delinquent "acting out."

Increases in youth adjudicated and confined in institutions while the rate of serious youth crime decreases.

Ironically, this administration believes that the major statutory requirements of the Juvenile Justice and Delinquency Prevention Act have been satisfied. Therefore, it has again proposed the elimination of OJJDP. I believe that this recommendation is short-sighted and inappropriate. It is one more example of this administration's inability to provide compassionate and fair leadership.

If the Office of Juvenile Justice and Delinquency Prevention is to continue to exist, as we believe it should, we hope that Congress will *explicitly* require that the administrator of that office properly exercise his professional responsibilities. We therefore would like to express our support for the following provisions of H.R. 4971.

Decrease in the amount of funds available for administration of the program

Recognition that the incidence of violent juvenile crime is decreasing

Clarification of the meaning of a "valid court order." It is essential, as you have noted, that young people are accorded their due process rights.

Insistence that grants and contacts are made pursuant to the mandates of the Act, namely, deinstitutionalization, jail removal and delinquency prevention.

The requirement that programs and projects be funded through a competitive process.

The prohibition on use of funds for biomedical or behavior control experiments on individuals or research involving such experimentation.

We also hope that Congress enacts guidelines for the Office that will delineate the boundaries of acceptable research projects. The current administrator's approval of projects that involve social and behavioral engineering based on questionable "science" smacks of a "brave new world" mentality that clearly must be curbed.

There is a tendency to either ignore these projects or to laugh at them. Many do not take them seriously, because they don't take the administrator seriously. But, we can't simply stick our heads in the sand and hope that Alfred Regnery will go away. What we can do is ensure that his excesses will not result in harm to children or to the movement toward responsible juvenile justice policy and programs.

CAMP FIRE, INC., POSITION ON STATUS OFFENDERS

The Board of Directors of Camp Fire, Inc. shall support the following position on behalf of status offenders (youth who have not violated the criminal code). The board shall pledge to encourage efforts by the Camp Fire membership to work with that population, either through advocacy or direct-service activities.

We believe that children are our most precious resource, that every child deserves the right to develop to his or her fullest potential and that the family is essential to the nurturing and development of this potential.

While the cost of care for our children may be great, the cost of their neglect is astronomical. With this in mind, Camp Fire, Inc. supports the concept that children and their families should have the opportunities essential for their optimal physical, emotional, mental, and social growth. Therefore, we are committed to the following principles:

(1) Status offenders should be removed from all secure facilities, public or private.

(2) Status offenders should be removed from any secure or non-secure public or private facility which also houses adult offenders.

(3) Status offenders should not be mixed with juvenile offenders in any facility, including community-based facilities, which house more than 20 youth.

(4) Community-based programs for status offenders, such as foster care and shelter care homes, group homes, halfway houses, and homemaker and home health services, should be provided.

(5) Services and programs which will maintain and strengthen the family unit, so that the juvenile may stay at home, must be supported.

(6) The deinstitutionalization of status offenders should be accompanied by a redirection of funding resources to assure the provision of adequate alternative services, appropriately assigned to public and private agencies.

(7) Educational programs which help youth remain in elementary, secondary, or alternative learning situations should be expanded.

(8) Special attention must be given to girls and minorities, who are over-represented in the institutionalized status offender population.

(9) Jurisdiction over status offenders should be removed from the juvenile court. Community services offered by community-based voluntary agencies, youth service bureaus, and public social service departments are more appropriate resources for non-criminal youth.

[From the New York Times, New York, NY, Aug. 3, 1983]

YOUNGSTERS WHO DO NOT BELONG IN PRISON

To the Editor:

According to the National Coalition for Jail Reform, 500,000 young people under the age of 18 end up behind bars in adult jails each year. Many of them are locked up for running away or for being difficult to manage. Many others are abandoned, neglected or abused—both physically and mentally—by their families. Sadly, for every 100,000 young people put in jail, 12 will kill themselves. No matter what the charge, for them jail is the death penalty.

Hearings were held last month in Washington on the deinstitutionalization (the removal from secure institutions) of status offenders and on the Dependent Children's Protection Act of 1983. In testimony before the Senate Subcommittee on Juvenile Justice, I summarized the need for futher efforts to deinstitutionalize status offenders and to cut off Federal justice assistance funds to states that continue to institutionalize juveniles who have committed offenses that would not be criminal if committed by an adult, such as truancy, running away from home or being unmanageable.

The Juvenile Justice and Delinquency Act of 1974 mandated that status offenders be removed from secure detention and correctional facilities. Yet over 479,000 juveniles—many of whom are status offenders—continue to be held in jails and lockups each year. This is due in part to some states not participating in the Juvenile Justice and Delinquency Prevention Act because it is voluntary.

It is my belief that states should not receive Federal justice assistance funds while at the same time undermining the constitutional rights of young people.

ARNOLD E. SHERMAN,
National Executive Director, Camp Fire, Inc.

[From the Kansas City Star, Kansas City, MO, July 31, 1983]

JUVENILES HAVE RIGHTS

According to the National Coalition for Jail Reform, 500,000 young people under the age of 18 end up behind bars in adult jails each year. Many of them are locked up for running away or for being difficult to manage. Many others are abandoned, neglected or abused—both physically and mentally—by their families. Sadly, for every 100,000 young people put in jail, 12 will kill themselves. No matter what the charge, for them jail is the death penalty.

Hearings were held last month in Washington on the de-institutionalization (the removal from secure institutions) of status offenders and on the Dependent Children's Protection Act of 1983. In testimony before the Senate Subcommittee on Juvenile Justice, I summarized the need for futher efforts to de-institutionalize status offenders and to cut off Federal justice assistance funds to states that continue to institutionalize juveniles who have committed offenses that would not be criminal if committed by an adult, such as truancy, running away from home or being unmanageable.

The Juvenile Justice and Delinquency Act of 1974 mandated that status offenders be removed from secure detention and correctional facilities. Yet over 479,000 juveniles—many of whom are status offenders—continue to be held in jails and lockups each year. Part of the reason is that some states are not participating in the Juvenile Justice and Delinquency Prevention Act (participation is voluntary).

It is my belief that states should not receive Federal justice assistance funds while they are undermining the constitutional rights of young people.

ARNOLD E. SHERMAN,
National Executive Director, Camp Fire, Inc.

[From the Kansas City Star, Kansas City, MO, July 13, 1983]

Camp Fire art exhibition, winning clay pieces from Camp Fire youth national art competition, shown through Friday at In the Spirit Gallery, 1911 W. 45th St. Display of 32 winning pieces. Free. Gallery hours 10:30 a.m. to 5 p.m. Tuesday through Saturday.

STATEMENT OF MARGARET PRESKA, MEMBER, BOARD OF DIRECTORS, CAMP FIRE, INC., MANKATO, MN, ACCOMPANIED BY ARNOLD SHERMAN, NATIONAL EXECUTIVE DIRECTOR, CAMPFIRE, INC.

Ms. PRESKA. Thank you very much, Mr. Petri.

I am Margaret Preska. My husband and I have raised three children, and I am a grandmother. I am the chair of our brandnew Governor's Council on Youth in Minnesota, and I am in my 6th year of service as the president of Mankato State University where we work with 14,000 students.

Today I speak to you as the director of the national board of Camp Fire, Inc.

On behalf of Camp Fire, I would like to thank you for this opportunity to testify before your subcommittee on the reauthorization of the Juvenile Justice and Delinquency Prevention Act. I would like to briefly tell you a little bit about Camp Fire and about our experiences with juvenile justice and delinquency prevention, particularly the deinstitutionalization of status offenders.

Campfire is a not-for-profit national organization that was founded in 1910 as Camp Fire Girls. There are today over 300 councils chartered by Camp Fire, serving a half million boys and girls in nearly 35,000 urban, rural, and suburban communities.

The program and priorities within Camp Fire have changed over the years, reflecting the changing world we live in. As social conditions have altered, Camp Fire has responded with programs designed to meet the needs of youth.

The physical and mental health of youth have long been high priorities for Camp Fire. In keeping with these priorities, the national board of Camp Fire in 1981 adopted a strong statement supporting the deinstitutionalization of status offenders.

In summary, the statement of our principles recommends that: One, status offenders should be removed from all secure facilities; two, status offenders should be removed from both secure and nonsecure facilities that also house adult offenders; three, community-based programs for status offenders should be provided; four, deinstitutionalization of status offenders should be accompanied by funding to assure adequate alternative services; five, special attention should be given to girls and to minorities who are not overrepresented in the institutionalized status of offender population; six, jurisdiction over status offenders should be removed from the juvenile court.

These basic principles were adopted by Camp Fire's national board in 1981 because the statistical information regarding the treatment of status offenders was most disturbing.

Current conditions continue to warrant our alarm:

According to the National Coalition for Jail Reform, 500,000 young people under 18 end up behind bars in adult jails and lockups each year. Only 5 to 10 percent have even been charged with a violent crime; 25 percent are accused of status offenses or no offenses.

The majority of these young people are in jail awaiting court appearance. Yet, at the court hearing, two-thirds of them are released.

For every 100,000 young people put in jail, 12 will commit suicide. No matter what the charge, for them jail is a death penalty, as one of my predecessors today informed you.

Many children are held in secure institutions only because they are, as we know, abandoned, neglected, or abused by their own families.

It has been suggested that many of these young people are institutionalized because they have nowhere else to go. However, many organizations have provided programs that are an alternative to institutionalization. At the local level, Camp Fire councils have provided alternative programs that carry out the statement of principles adopted by our board.

At this time, I would like to submit, if I may, a full version of these principles for your record.

Mr. PETRI. Yes, thank you. It will be accepted for the record.

Ms. PRESKA. Thank you.

With me today, Mr. Petri, is Arnold Sherman, who is the national executive director of Camp Fire. I would like to ask him to speak to the specific details and recommendations of the legislative and programmatic proposals that you have under consideration.

Mr. SHERMAN. I will attempt to be very brief.

If the Office of Juvenile Justice and Delinquency Prevention is to continue to exist, as we wholeheartedly believe it should, we hope that Congress will explicitly require the Administrator of the

Office to properly carry out the letter and spirit and intent of the legislation.

Camp Fire, therefore, would like to express its full support for the following provisions of H.R. 4971.

We are supportive of the decrease in the amount of funds available for administration of the program. We are also supportive of the recognition that the incidence of violent juvenile crime is decreasing, and that the office should be putting that message out to the public and to the professionals in the field.

We are supportive of the clarification that you have included of the meaning of a valid court order. While, in the past, we have supported the removal of that particular section from the legislation, we are supportive of the tightening up that you are including in this new version of the bill. We feel it is essential, as you have noted, that young people are accorded due rights and due rights processes.

We are supportive of the insistence that grants and contracts are made pursuant to the mandates of the act, namely, deinstitutionalization, jail removal, and delinquency prevention.

We also are very concerned about the competitive nature of discretionary grants, and we are supportive of the programs and projects that the office will fund in the future to be done through a competitive process.

And we are extremely supportive of the prohibition on use of funds for biomedical or behavior control experiments or individual research involved with such experimentation.

We hope that Congress enacts guidelines for the Office that will delineate the boundaries of acceptable research and discretionary programs. The current Administrator's approval of projects that involve social and behavioral engineering based on questionable science smacks of a brave new world mentality that clearly is exploitation of America's young people and must be curbed.

There is a tendency to ignore these projects or, in some cases, even laugh at them. We do not consider them a laughing matter. The current thrust of the office makes a mockery of the one legislative initiative that, until recently, has vigorously supported justice for juveniles and spearheaded a compassionate and humane delinquency prevention program.

By words, indeed, the current Administrator of the office has demonstrated his disregard for the intent of Congress, has ignored promising local strategies, and has dismissed express needs of troubled youth to focus on pet ideological initiatives that are incompatible with the values and principles of providing leadership in the juvenile justice field.

I would go even a step further and say many of the strategies and tactics and approaches that the office has been promulgating at this time, in fact, undermine local efforts, because they put a message out about the nature and conditions of young people in our country and of the remedies and approaches to their problems that are inconsistent with the current state of the art and of the activities that have been encouraged at the local level through our State mechanisms and through our local program delivery systems.

We believe that Congress must ensure that its authorizing directions are followed and its appropriations are wisely and appropriately spent. We, frankly, do not believe that this is currently happening.

The mandated objectives of the office are as essential today as when the office was initially authorized in 1974. You can have an effective program. The program can be tightened up. The current legislation you are proposing goes a long way to do that. I can assure you that Camp Fire will continue in our efforts to assist you in implementing this important piece of legislation.

Thank you.

Mr. PETRI. Thank you. We appreciate your testimony.

I understand this committee will be having some further sessions with the director of this program. If you have some particular questions or concerns, I know Mr. Raley or other staff would be happy to spend some time going over those with you so that the record is established. We can inquire into those concerns.

I have one question. I don't know if either of you have the figure off the top of your head, but a number of witnesses, as you had, ma'am, have testified about the suicide rate of young people in jail. There was some testimony, too, that the suicide rate generally among young people has been going up, perhaps because of the incidence of drugs, and so on. I wonder how meaningful these statistics are. What is the suicide rate generally in this society? What is the suicide rate in shelters and in nonjail centers? Is it actually the jails that are causing a special problem—do you see what I am saying?

The high suicide rate in jails is clearly a bad and terrible thing. But if the suicide rate is as high in the family environment, we are not going to try to abolish families or get kids out of families because there are a few who end up as suicides. Therefore, maybe we shouldn't necessarily automatically condemn jails. Although jails may be terrible and unpleasant institutions and, in fact, there happen to be suicides in jails, there are suicides in lots of places. Jails are not necessarily the determinant. So it is a matter of comparing.

Do you have another statistics as far as that?

Mr. SHERMAN. No.

Mr. PETRI. Or is it just something that is plucked out of the air and makes the jails sound bad? A lot of other things could be made to sound bad, too, if we were to isolate them.

Mr. SHERMAN. Congressman, I don't have the comparative data in front of me. I would be happy to provide it to you.

But to the best of my recollection, the reason that issue was pointed to was because that particular rate among institutional population of young people was significantly higher than the normal suicide rate among young people in the outside world. The pressures and the stark reality of the environment and the dangers that it is associated with have led to an increased rate. That is why it is highlighted.

I would be able to get those to you.

Mr. PETRI. It would be interesting to see the suicide rate compared with the general population, and also compared with the alternatives that are seriously being considered with this legislation. Clearly, if the figure is relevant for jails, it has to be a comparative figure and, therefore, the detention facility figure would be also——

Ms. **Preska**. That is a good question.

Mr. **Sherman**. I can share with you personally—I ran a runaway shelter for 5 years in a previous life. During that experience we had a significant number of young people coming in who were confronted for the first time in their life that they didn't know where their future was going to take them, they didn't realize what was in store for them. They had made basically what is considered a fairly traumatic decision in their life to leave home. Often there was the contemplation of suicide among many of the kids who we worked with.

It was, I think, the caring relationship between the professional staff who were there to work with them that kept that from happening. In the 5 years I was there, we never had a successful incident, although some of the young people, in fact, did attempt suicide in that kind of environment.

My personal experience has been that, in the more severe confinements of jails in which that supportive service isn't available, that internal dilemma that the young person is dealing with, that internal anxiety, is not dealt with in the same way, and which, it seems to me, to result in the kind of data and statistics that you see.

Mr. **Petri**. The other thing would be if there is a difference from one type of jail setting to another type of jail setting. Maybe it is not the jail, but it is the type of supervision or the training that the people have had or the segregation. If there is no difference in the rate between segregated and nonsegregated facilities, for example, that would indicate something. If figures are to be treated seriously, we have to look at them in context rather than in isolation.

Ms. **Preska**. We will see if we can get it to you.

Mr. **Sherman**. I think just one further point—we have always believed in trying to provide young people with attention rather than detention. I recognize that the controversy always seems to be, do we build a new facility, or do we keep them locked up in the jails.

I think there are two points related to that. One is the jailing of young people gives a message to that young person, particularly a status offender young person that I don't think we intentionally give, or that society is interested in giving—that being, you are being placed in jail with adults because of your behavior, and your behavior is so intolerable and unacceptable that this is the way society can best respond to it.

But certainly there are a variety of other alternatives that are much less expensive, and they have been alluded to here, alternatives to provide safe, secure, protective surroundings for those young persons for themselves and for the community that do not require the building of new facilities. There are group homes, individual living situations, a whole variety of other alternatives that are cost effective, and that provide that attention to that young person at that critical time that adult jails simply don't afford.

Mr. **Petri**. There is one other whole area, and I just mention it because it is on my mind and I want to get it in the record. That is, there are some people who have been saying that the use of the term "status offender," or the term "runaway," minimize the seriousness of what these people have been involved in. They are often not runaways in a sense—whether it is true or not, I don't know, but this is what I have been told—that they are not just someone who just picks up his bag and sneaks out the bedroom window at night and is going to town. They are people who have been in trouble with the law and placed under some sort of supervision and then have run away from that supervision. Usually people are not put in jail or in prison or anything of that sort for the first offense—sometimes in my State not even for the second or third offense. So to say someone is a status offender may be misleading. In fact, there may be things that they have done that are really very serious, but the technical thing that is being put down on a piece of paper is a status offense, or they may be being characterized as being a runaway. This tends to gloss over and to minimize the seriousness of the problem we sometimes have to deal with.

Is that a true observation?

Mr. **SHERMAN**. I have been in the field for 15 years. While there certainly are cases in which a young person who is being charged with running away from home may have participated in other kinds of activities, I would say that the preponderance of the cases would lean toward a complexity of situations that are much more related to family dysfunction and things that are going on in the family than in criminal behavior.

The analogy that the runaway episode is a tip of an iceberg of more serious criminality underneath is probably outweighed by the runaway being the tip of an iceberg of a variety of family and interfamily issues that are more effectively dealt with outside of the criminal justice system. That has been my experience.

Mr. **PETRI**. But what I am saying is these people say there is a need for more intense type facilities for some people who may be characterized as a runaway or a status offender because, in fact, when they are brought before a court and are reviewed, you discover they are actually dangerous to themselves and/or others, or could be, and, therefore, need some sort of facility, even though they are characterized as a status offender or just as a runaway.

So you have to get behind that characterization on a case-by-case basis, which is what the courts are for and why appeal to the idea of really trying to come up with some sort of an easy halfway house type solution, for all offenders may look possible statistically and may not be possible in reality. They are trying to do it as much as they can already, but they have a small percentage of the population that they can't, in good conscience, treat except with some sort of a secure facility.

Mr. **SHERMAN**. We would hope that that small percentage of the population that we all agree is there would not be used as a standard to develop the whole system of service delivery to all the other young people.

Mr. **PETRI**. Thank you.

Ms. **PRESKA**. Thank you very much.

Mr. **PETRI**. Mr. Raley has a question for you.

Mr. **RALEY**. This question is on behalf of Chairman Andrews. For repeat runners, kids who do run—and perhaps we should ask this of June, I guess—has the valid court order pretty well taken care of those, or do you still get comments from the field that you need more attention to the repeat runner? In other words, do we already have that exception in the law?

Mr. SHERMAN. As you know, I am not particularly favorably disposed toward a valid court order as a way of dealing with it.

You may want to take a look the system that was recently——

Mr. RALEY. But at least that exception is there. To your mind, at least, from the field you heard that it is there, that it is working, or has it been used at all?

Mr. SHERMAN. As far as I know, the valid court order is being used in a variety of places. I don't know what the level of success is.

You may also want to take a look at Illinois that recently revised its juvenile code and developed a system in which the repeat runaway is dealt more effectively with an immediate service response to their situation. The whole State is covered contiguously with crisis intervention resources so that every police department can get in touch with a youth service organization 24 hours a day as a way to deal directly with the problems that have precipitated the repeat runaway, rather than use the institutional placement as a cure for the phenomena.

Mr. PETRI. Mr. Raley, any further questions?

Mr. RALEY. No, thank you.

Mr. PETRI. Thank you both for your testimony, and the full statement will be entered in the record.

Next we have June Bucy, chief executve officer of the National Network of Runaway and Youth Services, which is here in Washington.

Thank you for being such a patient witness, and we look forward to your testimony.

[Prepared statement of June Bucy follows:]

PREPARED STATEMENT OF JUNE BUCY, CHIEF EXECUTIVE OFFICER, THE NATIONAL NETWORK OF RUNAWAY AND YOUTH SERVICES, INC., WASHINGTON, DC

Good morning, Mr. Chairman. I am June Bucy, Chief Executive Officer of The National Network of Runaway and Youth Services, Inc., a national membership organization which represents the professional interests of more than 500 youth service agencies across the nation. I want to thank you personally, Mr. Chairman, for the opportunity to testify on H.R. 4971 this morning and also to thank you and the other Members of the Subcommittee for your strong and diligent support of services to America's runaway and homeless youth. The National Network is especially grateful to you for introducing H.R. 4971, and we support your leadership on the reauthorization of the Juvenile Justice and Delinquency Prevention Act which includes Title III, the Runaway and Homeless Youth Act.

The National Network is a member of the National Collaboration For Youth and at a Collaboration meeting last week, the following agencies endorsed and are committed to working for the reauthorization of the JJDP Act and the Runaway and Homeless Youth Act: Big Brothers/Big Sisters of America; Boys' Clubs of America; Boy Scouts of America; Camp Fire; Future Homemakers of America; Girls Clubs of America; Girl Scouts of the U.S.A.; National Board of YMCA; National Board of the YWCA of the U.S.A.; National Youth Work Alliance; and Red Cross Youth Services.

With regard to Title III, the National Network strongly supports the position adopted by the National Collaboration For Youth, namely that "there should be a crisis intervention capacity in each community for runaway and homeless youth."

OVERVIEW OF THE NATIONAL NETWORK'S POSITION ON H.R. 4971

Before offering specific comments on Title III of H.R. 4971, it is important that the Subcommittee Members appreciate just how significant this legislation is for youth services in America. Substantial gains and improvements in services to troubled, delinquent, runaway, and homeless youth and their families have been achieved since the Juvenile Justice and Delinquency Prevention Act was passed in 1974 and amended in 1980. Unless this Act (including Title III) is reauthorized, hundreds of thousands of young people will have no available shelter or other greatly-needed services, and we can fully expect a return to the days when status offenders, delinquents, and other youth were locked up in secure facilities with adults. Mr. Chairman, the National Network pledges to work with you, the Members of this Subcommittee, and the other Members of Congress to ensure that this bill is enacted and these youth are safeguarded.

H.R. 4971 is important for several other reasons as well. With the movement towards more deinstitutionalization and with other widespread negative family dynamics, e.g. child abuse and neglect, rising divorce rates, etc., an even greater need exists for community-based shelter care services for young people and their families. These services include: youth and family counseling, drug and alcohol abuse counseling, health, employment, alternative education services, and many others. Title III supported programs and initiatives that provide these services to a sizable population of these youth-and-families-at-risk must be continued by an expedient reauthorization.

My final generic point, Mr. Chairman, is that the National Network supports the "legislative packaging" of H.R. 4971 that includes juvenile justice, runaway and homeless youth, and missing children's services. Many of the young people served by Title III shelters and projects are or have been involved in the juvenile justice system or have been reported as "missing". Furthermore, these shelters and programs have the community contacts with the law enforcement system and other human service agencies, know the technology of working with high-risk and troubled youth, and have the types of counseling skills to work with families that are under severe stress or are dysfunctional. H.R. 4971 represents a major first step in the coordination of services to these unique populations of youths and their families.

SPECIFIC REMARKS ON H.R. 4971

The National Network supports H.R. 4971 and recommends the following technical changes:

Section 302.—We recommend adding (d), which would read, "The Secretary is authorized to provide discretionary grants to local, state, multi-state, and national, public and private agencies for the purposes of research, demonstration, training, information dissemination, and other runaway and homeless youth program-specific activities."

In line with this proposed amendment, the National Network's recommendation is that no more than 10% of the funds available for Title III be made available for these discretionary grant activities.

Section 303.—The National Network supports the changes from "parents" to "families" or "family members" which appear in this and other Sections of H.R. 4971. As Director of a runaway shelter for more than 12 years in Galveston, Texas, I can strongly attest to the value of "extended families", i.e. grandparents, aunts, uncles, older siblings, etc. in working with the helping runaway and homeless young people.

Section 341.—The National Network again is grateful to you, Mr. Chairman, the Members of this Subcommittee, and to those other Members of Congress who have worked hard to ensure that Title III programs reach their full authorization funding level of $25 million. Regretably, full funding has not been a reality, and the proposed Administration budget for FY 1985 requests a $12.8 million reduction. While the authorization funding figures for future years proposed in H.R. 4971 represent a move in the right direction, it simply is a fact that even these proposed increases are inadequate to meet either the pressures of inflation which existing shelters face or to provide for any new shelters in unserved or underserved areas.

The National Network's request for an adequate authorization funding level is based on the needs expressed by local programs, not on our conjecture. In preparing for this testimony, the National Network did an informal phone survey of runaway shelters across the country and found the following information:

In Raleigh, North Carolina, the Haven House shelter has been filled to capacity with youth and for the past 3 weeks, has had to turn young people away because there was no available bed space. While these youth can be sent to the Salvation Army or the Raleigh Rescue Mission for food and short term shelter, they do not get the counseling and other stabilizing services that they need.

The Wisconsin Council on Criminal Justice states that there are 15,000 reported cases of runaway youth in the State each year. 5 years ago, there were 12,000 cases per year. Every month, there are 500 "open", i.e. unsolved runaway or missing cases. Of the more than 200 young people who received shelter services at the Briarpatch in Madison last year, 34% had suffered physical abuse, 19% had been sexually abused, and 62% had come from homes where drug and alcohol abuse had been major problems.

In San Francisco, the mayor's recently-formed Study Commission on Homeless Youth estimates that between 1,000-2,000 homeless youth are on the city's streets every night. Many hundreds of these youth are recent arrivals from El Salvador, Nicaragua, and other Latin America countries; others are from adjoining counties and states and these youth live on the street and many of them are involved in sexual exploitation and other forms of crime.

In St. Charles, Missouri, the Youth In Need program reports some major changes they have experienced in the past 3 years, all of which have placed greater demands on their agency's services. Previously, many of the youth seeking shelter there simply were transient; now the youth have serious multiple problems which go beyond the need for food and shelter. Also, the local foster care system, juvenile court, and other more established human service agencies are growing more dependent on the YIN shelter to solve the problems of these hard-to-serve youth and their families.

The national scope of the problem is summarized in an October, 1983 National Program Inspection conducted by the Department of Health and Human Services Region X Inspector General's Office. It states: ". . . this estimate indicates that the federal OHDS shelters served no more than one in three and sheltered no more than one in twelve of the individual runaway/homeless youth actually identified and counted last year in this country."

Also: "Police and juvenile probation respondents consistently advised us that only one in four or one in five runaways/homeless whom they see is ever arrested, detained, or officially counted . . . Applied against even the most conservative number of counted youth identified above (558,662), these multipliers of 4 to 6 would mean that runaway and homeless youth exceed 2 million nationally."

In FY 1982 (the most recent data available), the Title III centers sheltered 44,000 youth for at least one night and served an additional 133,000 one-time drop-in youth. Even if generous estimates are made for the number of runaway and homeless youth served by non-Title III programs, it still is the case that less than 50% of this at-risk youth population are getting the services that they need.

For these reasons, Mr. Chairman, the National Network recommends the following authorization of appropriation levels for Section 341: $25,000,000 for fiscal year 1984; $30,000,000 for fiscal year 1985; $40,000,000 for fiscal year 1986; $50,000,000 for fiscal year 1987; $60,000,000 for fiscal year 1988; $70,000,000 for fiscal year 1989.

These funds will permit reasonable expansion of the Title III program to unserved and underserved areas, provide much-needed increases to existing Title III shelters, allow increased support for the national hotlines, enable worthwhile research and demonstration initiatives (such as the current federal effort on juvenile prostitution) to continue and produce replicable models, and *should* also be used to implement a national data collection system that would respect confidentiality and provide accurate information on these runaway and homeless youth, their experiences, and the family dynamics which resulted in their homelessness. With regard to this last point, the Subcommittee can appreciate that until we have hard and reliable data on these youth, we will continue to make youth policy based on myths and inaccurate (no matter how well-intended) information.

In closing, Mr. Chairman, let me again thank you and the Members of the Subcommittee on Human Resources for having this hearing. On behalf of the National Network of Runaway and Youth Services, I respectfully urge the Subcommittee to consider, mark-up, and report out H.R. 4971 as soon as possible. We are ready to help you and your colleagues in both chambers produce the best possible legislation for the runaway and homeless youth which the National Network serves. Mr. Chairman, I would be pleased to answer any questions which you or the Members of the Subcommittee have.

STATEMENT OF JUNE BUCY, CHIEF EXECUTIVE OFFICER, NATIONAL NETWORK OF RUNAWAY AND YOUTH SERVICES, INC., WASHINGTON, DC

Ms. BUCY. Thank you.

My testimony starts with "Good morning," but I believe it would be better to say good afternoon. I appreciate your staying here, although we may need calendars to replace our watches before this is over.

I am representing the National Network of Runaway and Youth Services, which is a membership organization of over 500 youth service agencies. One of those members is the Nevada PTA that has some 20,000 members. If that is characteristic of our programs, they are community-based family center programs and do not break up families or interfere with the legal kinds of rights that families have, but are in the position of negotiating those rights and working with those young people.

We are very grateful to this subcommittee and its members and staff for this legislation before us today, H.R. 4971. We are most eager to work with you in seeing that this legislation does lead to the speedy reauthorization of the Juvenile Justice and Delinquency Prevention Act, which includes title III, the Runaway and Homeless Youth Act.

The National Network is a member of the National Collaboration for Youth, and at a meeting recently they endorsed the testimony that will be given today, with the statement that there should be a crisis intervention capacity in each community for runaway and homeless youth. The members of that Collaboration are listed in the written testimony.

Reauthorization of this act, as many people before me have said today, is crucial to the welfare of thousands of youth who, without the provisions will be in some sort of lockup facility learning criminal skills, or on the streets vulnerable to predators who would harm them.

This legislation, according to our insight, is well packaged. We like the idea of a Juvenile Justice Act, a Runaway and Homeless Youth Act and a Missing Children's Act being put together.

As a program operator of a runaway shelter which really was a comprehensive community program for some 12 years, I feel that I understand that population of children, and they do flood back and forth. Many missing children have committed crimes, many runaways are also missing having been abducted from their homes in the first place, or more likely having been swept in some sort of criminal situation against their own will or without their realizing how serious it is and having no way to escape later. These kids are the same population in many, many cases. Also, the same kind of programs and skills one uses to work these families are functional in all of these systems.

So I think the act is well packaged and there is some interaction between the programs that goes beyond what some have anticipated.

There is one specific suggestion that we would make. In section 302 we recommend adding a section (d). The complete statement is included, but the idea is that our program providers are concerned about emerging issues and the problems that are of critical nature as they work with children and families. We applaud the idea of having money for research, demonstration, training and information dissemination that is program specific to runaway and homeless issues.

We would suggest that no more than 10 percent of the funds available for title III be made available to those discretionary grants.

We like very much the idea that "families" is a word used several times to replace the idea of parents, because grandparents and older siblings, uncles and aunts are *often very, very helpful in* working with young people. We applaud that effort.

We appreciate the 5-percent yearly increase that is projected into this legislation for the Runaway Youth Act, but we wish to point out that the level of increase would not allow for new programs in underserved areas and would barely allow for any kind of cost-of-living increase. Many of our programs do expand and get a great deal of money from their local communities, but, nevertheless, this we see as a rather small increase.

In preparing this testimony, we contacted our member programs. We talked to Mike Reeder in Raleigh, NC, at Haven House. He said that house has been full to capacity for the last 3 weeks, and they have turned many young people away because there were simply no beds for them.

In Wisconsin, the Council on Criminal Justice states that there are 15,000 reported cases of runaway youth in that State each year. Five years ago, there were only 12,000. Every month in Wisconsin, there are 500 open, unsolved, runaway or missing cases. Of the more than 200 people who received shelter services at the Briarpatch in Madison, WI, last year, 34 percent had suffered physical abuse, 19 percent had been sexually abused, 62 percent had come from homes where drug abuse and alcohol are major problems.

I would like to say that the true picture of a runaway is not a young person packing up some belongings and sneaking out of a window late at night. A runaway is a child who is most often thrown from his home or asked to leave his home by a very angry, a very depressed, a very drunk, a very high on drugs, a parent who simply cannot cope with their own problems and sees their child as just one more problem, and these kids are forced out.

It is very, very rare that children want to run. Most children want to go home. They are not carefree children.

I was interested in your discussion of suicide with Mr. Sherman. There was a study recently in New York. It was done in the shelters there by the New York Psychiatric Institute. There are very many important pieces of data in this study.

Among them was that no fewer than 33 percent of the girls and 15 percent of the boys who were in the shelters of New York City had previously attempted suicide. An additional 33 percent of the girls and 33 percent of the boys had contemplated or threatened suicide. That puts you in the 60-percent range. This compares with the reports indicating that about 10 or 12 percent of psychiatric outpatients of the New York Psychiatric Institute have at some point made a suicide attempt.

This is a very seriously depressed group of children who have very, very serious problems. They are not happy-go-lucky kids.

Incidentally, we will be most happy to supply to you those suicide figures of the difference in the suicide rate within institutions and in the general population.

The national scope of the problem is addressed in an October report from the inspector general's office that calls the runaway programs among the best of the Federal programs. Whatever ratings and qualifications may have come to some of the experimental—and after all, the idea of experimental doesn't mean it always has to work—of the juvenile justice programs—and I think most of them have been quite good—the runaway programs have almost always been evaluated as very, very effective.

They also indicate that no more than 1 in 3 are served by the shelters, or no more than 1 in 12 actually are in the shelters themselves.

The people who responded to this survey by the inspector general said that police and juvenile probation respondents consistently advised us that only one in four or one in five runaway homeless youth whom they see is ever arrested, detained or officially counted. Applied against even the most conservative number of counted youth identified above, these multipliers would mean that runaway and homeless youth exceed 2 million annually. This is the highest figure that has ever, so far as I know, been based on an administration count coming from police records and that sort of thing.

Therefore, we ask for an additional increase in the authorization, and the specific figures are given.

These amounts would permit reasonable expansion of programs to underserved or unserved areas, provide much needed increases in existing programs, allow increased support for national hotlines, enable worthwhile research and demonstration initiatives such as the current effort on juvenile prostitution to continue, and produce replicable models. They should also be used to implement a national data collection system that would respect confidentiality and provide accurate information on runaway and homeless youth, their experiences, and the family dynamics which resulted in their homelessness.

The current data collection tool—although, as I read the law, there is a requirement that data be collected—the current process is that collection of that data is mandatory, and I think that the tool that is used to collect it systematically excludes some very important ideas, including what has happened to the young people on the streets. Until we have that kind of reliable data, we will be making policy based on myths and inaccurate, no matter how well intentioned, information.

In closing, I respectfully urge the subcommittee to consider markup and report out on H.R. 4971 as soon as possible.

We would be pleased to answer any questions you might have.

Mr. PETRI. Thank you.

Mr. Raley.

Mr. RALEY. June, I haven't had a chance to read the Inspector General's report, although I have seen it. It says police or juvenile probation respondents advised that only one of four were ever arrested, detained or officially counted. I am just curious about it. If they were never counted or never officially recognized or identified or anything, how would they know that figure?

Ms. BUCY. That figure came from studies that had been done in California. Statistically structured studies, were the way they described that. They talked about reports from various sorts of places. Apparently, within those communities where the study was done, they had counted the kids as well as counted the kind of contacts they had with the agencies.

Mr. RALEY. If they had a contact with an agency, wouldn't they be somehow counted?

Ms. BUCY. I think the words "officially counted" may very well be the part there that—and there is no more data on this report, although it is referenced in the inspector general's report and I am sure we could find out. But they are talking about counts where the name of the child is written down at some place.

Mr. PETRI. I did have a question on one area I am interested in, if you would any reactions or recommendations. Is there any problem at all in adequately supervising the network of halfway houses and facilities for these children? Do you ever run into trouble with improper people managing them or abuses occurring in these institutions, or lack of adequate local supervision?

We focus on the difficulties of youth in jail, but we have to be realistic. While most jailers are good, there is the occasional jailer who probably isn't; and while most people running halfway houses are good, caring people who have a sense of mission, there may be some who don't.

Ms. BUCY. That is always a danger, and our program people are conscious of it at all times.

The best defense against that sort of thing, of course, the selection of staff, good training and supervision of staff. Also, I think the openness of most of the runaway programs, meaning that people from the community can come in, can look around, can talk with the kids—it is a very kind of open program. The programs, by the law itself, have to be located in a place that is accessible. They are not remote and way off, and the youngsters do have a lot of interaction with all sorts of volunteers and people who come in.

Personally, in the shelter that I ran, there were over 5,000 children who came through that program while I was there, never—and we had some children who were accused of murder, many children were accused of violent crimes, but the program we had was able to work with these kids in an unlocked setting.

The statement was made that some children need a lockup setting. I feel that all children need a secure setting. I would really like a secure setting myself. None of us want to be in great jeopardy.

But of the 5,000 kids we had there—it was not the Baptist Sunday school. Many of them were tough kids—we never had a staff person who was hurt, never had any indication that a staff person had hurt a child, and really no child who had hurt another child.

With good supervision, with treating kids with a great deal of respect and concern and understanding of their problems, listening to them, you simply create an atmosphere where it is quite unlikely that violence happens.

The staff were also very well trained to bring in reinforcements when the troops are restless, to be in touch with police departments. I have called officers and asked them to come and talk with young people. We had done everything that we could to hold down the restlessness that does come when many children with heavy problems are put together.

I am not saying that no staff person ever abused a child; I am saying we are very conscious of that, and we work on those issues, and it has not been characteristic of the program.

Mr. PETRI. I just wanted to ask that question, because if we go ahead and reauthorize this act and ignore this area and then, 1 year or 2 years later, there is some big scandal because of some---

Ms. BUCY. I suppose that none of the program directors ever goes to bed at night without realizing this could be the night it happens. You are never safe from that sort of thing.

Mr. PETRI. I am curious if there are some things we could do, not to hamstring and not to get people involved in needless paperwork or something, but to make sure that there is in place some sort of an accountability mechanism or way of doublechecking, so that these are in fact---

Ms. BUCY. A safe place.

Mr. PETRI. We know its bad for young kids being thrown in with adults in jails. We also know, though, that throwing kids into an improperly supervised facility increases their contact with drugs and with all of these other difficulties we are talking about, too. So we want to try to have a good, high-quality facility and be sure that we don't just create places that are not properly supervised.

We need to work with you in trying to come up with---

Ms. BUCY. I would emphasize that in the runaway program, as well as in the juvenile justice program, the standards that have been written into the law by you good people have been really great standards. One of the main reasons that I think this bill should stay in place is that those standards, as States began to provide services—for instance, the State of Texas appropriated almost $4 million last year for runaway funds, and the standards in those programs are copied from the standards that were in the Federal law.

Among those are that facilities should not have more than 20 children. That cuts down a lot on the interaction between the kids and the personal sort of contacts that can be had between staff and children.

Also, the law calls for—and it has not been carried out very effectively in the last several years—more training accessible to local programs. Again, I think your best safeguard is adequate training of the staff and volunteers.

My cohort here has pointed out that many of the programs funded under the Runaway Youth Act are foster family programs. That is one of the most effective ways of dealing with your rural and very small populations. Very, very effective work has been done with a series of host homes, again where families are well trained.

The runaway children that we deal with—and again, from the Inspector General's report—36 percent of these kids have run from physical or sexual abuse, and 44 percent from other severe, long-term problems, which most often are their parents' problems and not their own. Only 20 percent are running from less severe crises.

These are kids who are coming to us after having been abused. They are not looking for more abuse. Staff tend to be very, very sensitive to not only any physical abuse that might take place, but even to the kind of language.

I notice today when other people began talking about children who had committed serious offenses, that they became cases and they became juveniles, and they stopped being people at that point. It is my very firm feeling that in our runaway shelters we deal with kids, we deal with children, we deal with parents, they keep on being people all the time they are there.

Mr. ANDREWS. Thank you very kindly.

Last, but not least, Bill Treanor, if you will come around. Mr. Treanor is the executive director of the National Youth Work Alliance here in Washington.

Welcome, Bill.

[Prepared statement of William W. Treanor follows:]

PREPARED STATEMENT OF WILLIAM W. TREANOR, EXECUTIVE DIRECTOR, NATIONAL YOUTH WORK ALLIANCE

Mr. Chairman, on behalf of the Nation's community-based youth service agencies, I want to thank you for the opportunity to appear before the U.S. House Subcommittee on Human Resources in support of H.R. 4971. The National Youth Work Alliance has actively supported the full implementation of the Juvenile Justice and Delinquency Prevention Act and the Runaway and Homeless Youth Act since they were authorized by Congress in 1974. I am proud to have been among the first to bring the problem of runaway youth to the attention of Congress in 1970 and recently to have successfully urged Congress to introduce the Missing Children's Assistance Act. The National Youth Work Alliance and our member agencies have had an extensive and postitive impact on all three titles of the legislation before the subcommittee today and look back with pride on our 11 years of youth advocacy effort.

But the Alliance's pride in the accomplishments of the Juvenile Justice Act are today tempered by a growing sense of unease, distress, and occasionally, disbelief in the current administration of the Office of Juvenile Justice. When OJJ Administrator Alfred S. Regnery appeared before this subcommittee on December 16, 1982, he said, "I think that the JJDP money can be very well spent. I intend to do that." He went on to add, "It certainly has the potential of doing great things and as long as the Congress and the administration continue it [JJDP], I plan to run it that way."

In the 15 months since Mr. Regnery uttered those words, he has spent juvenile justice and delinquency prevention funds on projects that are of a dubious, even frightening, nature. His singular lack of judgment in everything from bumper stickers to juvenile justice standards has raised the profile of the Office of Juvenile Justice and Delinquency Prevention but, I believe, not in the way Congress intended. Jack Anderson's column on the Office of Juvenile Justice and Delinquency Prevention yesterday was his fourth on the subject of Mr. Regnery. Dozens of negative stories have appeared in Gannett newspapers, several Wisconsin newspapers, the New York Times, Newsweek, as well as on TV and radio. It is bad enough that the media regularly sensationalizes the level of serious juvenile crime, but now comes the added insult that all the news from Washington on helping young people in trouble is of waste, looming scandal, and a vitrolic anti-youth policy. The largely successful work done by community-based youth service agencies is too often ignored.

But, in all fairness, who could pass up news like this:

A $98,300 sweetheart proposal to write a book on Juvenile Justice Reform: A Blueprint. The proposal was submitted by a former Senate staff colleague of Mr. Regnery who has shown no interest before or since in juvenile justice. The main beneficiaries of this arrangement were Mr. Regnery's friends and his family publishing company.

A $485,000 grant to the University of Southern California to examine ear lobes and toes as the long illusive predictor of juvenile delinquency.

These two grants were derailed because of adverse publicity. Taxpayers and juvenile justice workers were not so fortunate in some other cases.

(1) A $798,531 grant to a former script writer for Captain Kangaroo to prove through a hocus pocus process that incest, even the murder of children, is caused by reading Playboy magazine. Mr. Chairman, I don't know whether to laugh or cry about this grant, but I ask you to consider that this $800,000 rip-off represents over 1 percent of all funds appropriated in fiscal year 1984 for the Juvenile Justice Act.

(2) Recently Mr. Regnery awarded Pepperdine University in Los Angeles $4.2 million for a so-called national school safety network. Ironically he had previously eliminated a program that dealt effectively with this issue through improving the climate of public high schools. At his Senate confirmation hearings, Mr. Regnery, a self-proclaimed advocate of States rights, told the Judiciary Committee, "they (the States) found simply that much of the assistance was of minimal value, and we thought we could get more value for our money by putting it elsewhere." Elsewhere turned out to be a defeated candidate for California Attorney General, George Nicholson, and his political entourage. Our new instant school violence expert will be paid $75,000 per year to undertake work similar to that which was cut last year by Mr. Regnery. Mr. Nicholson is charged with the additional task of aiding parents and schools in expelling unruly students. This is, I believe, a complete perversion of congressional intent in passing and funding the Juvenile Justice and Delinquency Prevention Act. We need to prevent and treat disruptive and even violent behavior, not just move it out of the classroom and into the street.

These are just some of the instances of poor judgment on the part of the current Office of Juvenile Justice Administration. These noncompetitive grants are illustrative of a pattern that has caused the Office to lose the positive momentum it built up during the Ford, Carter, and early Reagan administration. In a number of areas, such as juvenile justice standards, training, research, and the entire special emphasis program, good solid results—oriented efforts have been sabotaged in favor of noncompetitive sweetheart deals which mock Government regulations and our free enterprise system. These grants often have little to do with the mission of the Office of Juvenile Justice and Delinquency Prevention.

Mr. Chairman, the National Youth Work Alliance has not had sufficient time to fully review H.R. 4971. However, my preliminary review of it is quite favorable. It offers the hope of getting the Juvenile Justice and Delinquency Prevention Act back on its proyouth and family course.

I do want to mention several provisions of H.R. 4971 which I think will aid in the improvement of the juvenile justice management and delivery system.

First is the ban on biomedical research. This type of research, if undertaken at all, should be conducted by the Department of Health and Human Services, with its prestigious health institution and its commitment to the stringent protection of human subjects. While a case can be made for some noncompetitive grants—the National Youth Work Alliance has received several—such a poor example has been made recently that the restrictions of H.R. 4971 are now necessary.

Given this recent chain of events, perhaps the most important feature of H.R. 4971 is the curtailing of the administrator of the Office of Juvenile Justice and Delinquency Prevention's discretionary powers. Without those now necessary controls, I fear that support for the Juvenile Justice and Delinquency Prevention Act appropriation will fade over the next few years. This would be particularly unfortunate because the State Formula Grants Program continues to do well. In great part that is a credit to the Governors' and the State juvenile justice advisory committee's hard work and support for an improved youth service system.

The same cannot be said for the Federal Coordinating Council and the National Advisory Committee. One can only wonder what the National Advisory Committee has been doing since its belated appointment. the Juvenile Justice and Delinquency Prevention Act is now being reauthorized, yet they have not made any recommendations to Congress on the subject. Since they don't appear to be advising anyone, a little "behavior modification" may be in order here by cutting funding available to the National Advisory Committee by 60 percent.

The Youth Work Alliance has and continues to oppose the "valid court order" exemption for detaining status offenders. It is an unneeded and counterproductive feature of the juvenile justice system. If, however, we must live with it for another 5 years, certainly assuring young of their full due process rights is warranted. The Alliance continues to oppose the use of adult jails for any juveniles under any but the rarest of circumstances.

The National Youth Work Alliance strongly supports the need of a national conference of State juvenile justice advocacy groups but the selection of a group to organize the conference should be left to a committee of State juvenile justice advisory group chairs.

We support the inclusion of the law-related education resource center in the Juvenile Justice Act.

In general, the National Youth Work Alliance supports Congress drafting a specific research, training, and special emphasis program plan for the Office of Juvenile Justice and Delinquency Prevention. In this regard the requirement in H.R. 4971 that the award of special emphasis grants be channeled through the appropriate congressional committee is an excellent idea.

The National Youth Work Alliance strongly supports the reauthorization of the Runaway and Homeless Youth Act. We support most of the changes recommended in H.R. 4971. However, the Alliance urges an appropriation of at least $35 million annually for this program.

The Alliance sees no need for section 341(c) further restricting the Department of Health and Human Services' grant-making authority. Research and demonstration grants are playing an important role in advancing the state-of-the-art in working with runaway and homeless kids. The Runaway Youth Act has been a highly successful program, but a formal evaluation is now overdue. There is also a need for a 5-year census of the actual numbers and types of teenagers who run away or are made homeless.

Mr. Chairman, there is a marked contrast between the management of the $23 million Runaway and Homeless Youth Act and the $70 million Juvenile Justice Act. The Runaway Youth Act program administered by the Administration on Children, Youth and Families is as well run today as it has been in its 10-year history. The Juvenile Justice and Delinquency Prevention Act's administration, however, has hit an all-time low.

Therefore, I urge the subcommittee to consider not only locating the Missing Children's Assistance Act in the Department of Health and Human Services, as H.R. 4971 wisely provides, but to consider moving the Juvenile Justice and Delinquency Prevention Program back to where it was located prior to 1974.

The National Youth Work Alliance also supports the Missing Children's Assistance Act. However, while there are many new positive features in the H.R. 4971 version, there are some problems. We urge the subcommittee to include an advisory board, the requirement for an annual report to Congress, and a requirement that the National Bureau of Missing Children coordinate all efforts to aid missing children, not just the Federal report.

Finally, I want to draw the subcommittee's attention to the importance of distinguishing between runaways and missing children. One has fled home voluntarily and can, with the kind of service provided by the Runaway and Homeless Youth Act, be persuaded to return home. Missing children are, of course, the innocent targets of criminal activity. Much thought must be given to properly implementing the Missing Children's Assistance Act so that runaway centers don't become targets for either law enforcement or missing children's advocates.

The National Youth Work Alliance is also a member of the national collaboration for youth. At a meeting last week in Arizona, the following agencies specifically endorsed and are committed to working on the reauthorization of the Juvenile Justice and Delinquency Prevention Act and the Runaway and Homeless Youth Act: American Red Cross, Big Brothers/Big Sisters of America, Boy Scouts of the U.S.A., Boys Clubs of America, Camp Fire, Future Homemakers of America, Girl Scouts of the U.S.A., Girls Clubs of America, National Board of the YWCA of the U.S.A., The National Network of Runaway and Youth Services, and YMCA of the U.S.A.

These groups, along with the impressive witnesses you have hard today, demonstrate the breadth and depth that this program continues to enjoy throughout the country and I expect throughout the Congress.

Occasionally, in our enthusiasm for increasing appropriations, amending certain clauses, and broadening the scope of the Act's intent (by including missing children, for example), we lose sight of our ultimate objective. I would like to commend the committee for their reminder of that objective in the first section of the Act. "Juveniles accounted for one-half of arrests in 1974 and for less than one-third such arrests in 1983." The Juvenile Justice Act and Runaway and Homeless Youth Act are working. Young people are committing fewer crimes. And for that reason above all we should maintain the purposes of the act, and protect the integrity of the Office of Juvenile Justice. We will be submitting further testimony for the written record.

Thank you for the opportunity to testify.

STATEMENT OF WILLIAM W. TREANOR, EXECUTIVE DIRECTOR, NATIONAL YOUTH WORK ALLIANCE, WASHINGTON, DC

Mr. TREANOR. Thank you, Mr. Chairman.

Mr. Chairman, on behalf of the Nation's community-based youth service agencies, I want to thank you for the opportunity to appear before the Subcommittee on Human Resources in support of H.R. 4971.

The National Youth Work Alliance has supported this legislation since its inception over 10 years ago, and our member agencies have had an extensive and, I hope, positive impact on all three titles of the legislation before this subcommittee today, and look back with pride on our 11 years of advocacy efforts.

But the alliance's pride in the accomplishments of the Juvenile Justice Act are today tempered by a growing sense of unease and distress, and occasionally disbelief in the current administration of the OJJ. When OJJ Administrator Alfred Regnery appeared before this subcommittee on December 16, 1982, he said: "I think that the JJDP money can be very well spent. I intend to do that." He went on to add: "It certainly has the potential of doing great things and, as long as the Congress and the administration continue it, I plan to run it that way."

In the 15 months since Mr. Regnery uttered those words, he has spent juvenile justice and delinquency prevention funds on projects that are of a dubious, even frightening, nature. His singular lack of judgment in everything from bumper stickers to juvenile justice standards has raised the profile of the Office of Juvenile Justice, but not, I believe, in the way Congress intended.

Jack Anderson's column on the Office yesterday was his fourth on the subject of Mr. Regnery. Dozens of negative stories have appeared in Gannett newspapers, several Wisconsin newspapers, the New York Times, Newsweek, as well as on TV and radio.

It is bad enough that the media regularly sensationalizes the nature of serious juvenile crime, but now comes the added insult that all the news from Washington on helping young people is of waste, looming scandal, and a vitriolic antiyouth policy. The largely successful work done by community-based youth services agencies is too often ignored.

But, in all fairness, who could pass up news like this: A $98,300 sweetheart proposal to write a book on "Juvenile Justice Reform: A Blueprint"—that was a book. The proposal was submitted by a former Senate staff colleague of Mr. Regnery who has shown no interest before or since in juvenile justice. The main beneficiaries of this arrangement were Mr. Regnery's friends and his family's publishing company.

A $485,000 grant to the University of Southern California to examine ear lobes and toes as the long illusive predictor of juvenile delinquency.

These two grants were derailed because of adverse publicity. Taxpayers and juvenile justice workers were not so fortunate in some other cases.

A $800,000 grant to a former script writer for "Captain Kangaroo" to prove through a hocus-pocus process that incest, even the murder of children, is caused by reading Playboy Magazine. Mr. Chairman, I don't know whether to laugh or cry about this grant, but I ask you and the subcommittee to consider that this $800,000 ripoff represents over 1 percent of all funds appropriated in fiscal year 1984 for the Juvenile Justice Act.

Recently, Mr. Regnery awarded Pepperdine University in Los Angeles a $4.2 million grant for a so-called National School Safety Network. Ironically, he had previously eliminated a program that dealt effectively with this issue through improving the climate of public high schools.

At his Senate confirmation hearings, Mr. Regnery, a self-proclaimed advocate of States rights, told the Judiciary Committee: "They found simply that much of the assistance was of minimal value, and we thought we could get more value out of our money by putting it elsewhere." Elsewhere turned out to be a defeated candidate for California Attorney General, George Nicholson, and his political entourage. Our new instant school violence expert will be paid $75,000 per year to undertake work similar to that which was cut last year by Mr. Regnery.

Incidentally, this gentleman will also be given $60,000 in executive staff travel. Executive staff travel seems to be a high priority in the office. We heard testimony this morning from GAO about the unavailability of funds to monitor the program adequately. I would suggest, Mr. Chairman, if you were to check where the administrative money was going, you might discover why there are, in fact, inadequate funds.

Mr. Nicholson is charged with the additional task of aiding parents and schools in expelling unruly students. This, I believe, is a complete perversion of congressional intent in passing and funding the Juvenile Justice and Delinquency Prevention Act. We need to prevent and treat disruptive and even violent behavior, not just move it out of the classroom and into the streets.

These are just some of the instances of poor judgment on the part of the current Office Administrator. These noncompetitive grants are illustrative of a pattern that has caused the Office to lose the positive momentum it built up during the Ford, Carter, and early Reagan administrations. In a number of areas, such as juvenile justice standards, training, research, and the entire special emphasis program, good, solid results-oriented efforts have been sabotaged in favor of noncompetitive sweetheart deals which mock Government regulations and our free enterprise system. These grants often have little to do with the mission of the Office of Juvenile Justice.

Mr. Chairman, the National Youth Work Alliance has not had sufficient time to fully review H.R. 4971. However, my preliminary review of it is quite favorable. It offers the hope of getting the Juvenile Justice and Delinquency Prevention Act back on its proyouth and profamily course.

I do want to mention several provisions of H.R. 4971 which I think will aid in the improvement of the juvenile justice management and delivery system.

First is the ban on biomedical research. I won't read my remarks on that, Congressman. They have been adequately and eloquently covered by others. If no other change survives, sir, I hope that that is the one.

Given this recent chain of events, perhaps the most important feature of H.R. 4971 is the curtailing of the Administrator of the Office of Juvenile Justice's discretionary powers. Without those now necessary controls, I fear that support for the act will fade over the next few years. This would be particularly unfortunate because the State formula grant program continues to do well. In great part, that is a credit to the Governors' and the State Juvenile

Justice Advisory Committees' hard work and support for an improved youth service system.

The same cannot be said for the Federal Coordinating Council and the National Advisory Committee. One can only wonder what the National Advisory Committee has been doing since its belated appointment. The Juvenile Justice and Delinquency Prevention Act is now being reauthorized, yet they have not made any recommenations to Congress on the subject. Since they don't appear to be advising anyone, a little behavior modification may be in order here by cutting the funds available to the National Advisory Committee by the 60 percent that you have recommended.

The Youth Work Alliance has and continues to oppose the valid court order exemption for detaining status offenders. It is an unneeded and counterproductive feature of the juvenile justice system. If, however, we must live with it for another 5 years, certainly assuring young people of their full due process rights, as H.R. 4971 does, is clearly warranted. The alliance continues to oppose the use of adult jails for any juveniles under any but the rarest circumstances.

I wish Mr. Petri was here. To answer his earlier question, the suicide rate in adult jails is eight times the suicide rate in juvenile detention centers. That is comparing two different kinds of secure detention facilities. So seven out of eight suicides are clearly avoidable through the use of juvenile detention centers. I am not talking about shelters now, the nonsecure, but secure juvenile shelter facilities have one-eighth the suicide rate that adult jails have.

The alliance strongly supports the need for a national conference of State juvenile justice advocacy groups, but the selection of a group to organize the conference should be left to a committee of State Juvenile Justice Advisory Group chairs.

We support the inclusion of the law-related Education Resource Center in the Juvenile Justice Act.

In general, the Alliance supports Congress drafting a specific research, training and special emphasis program plan for the Office of Juvenile Justice and Delinquency Prevention. In this regard, the requirement in H.R. 4971 that the award of special emphasis grants be channeled through the appropriate congressional committee is an excellent idea.

The National Youth Work Alliance strongly supports the reauthorization of the Runaway and Homeless Youth Act. We support most of the changes recommended. However, the Alliance urges an appropriation of at least $35 million for this program.

The Alliance sees no need for section 341(c) further restricting the Department of Health and Human Services' grantmaking authority. Research and demonstration grants are playing an important role in advancing the state-of-the-art in working with runaway and homeless kids. The Runaway Youth Act has been a highly successful program, but a formal evaluation is now overdue. There is also a need for a 5-year census of the actual numbers and types of teenagers who run away from home or are made homeless.

Mr. Chairman, there is a marked contrast between the management of the $23 million program and the $70 million juvenile justice program. The Runaway Youth Act administered by ACYF is as well run today as it has been in its 10-year history. The Juvenile

Justice and Delinquency Prevention Act's administration, however, has hit an all-time low.

Therefore, I urge the subcommittee to consider not only locating the Missing Children's Assistance Act in the Department of Health and Human Services, as H.R. 4971 wisely provides, but to consider moving the Juvenile Justice and Delinquency Prevention Act back to where it was located prior to 1974.

The Youth Work Alliance also supports the Missing Children's Assistance Act. However, while there are many positive features in your version, there are a few problems. We would like to see an advisory board, we would like to see an annual report to the Congress, and we would like to see a requirement that the National Bureau of Missing Children coordinate not just Federal effort, but all efforts in that field.

Finally, I want to draw the subcommittee's attention to the importance of distinguishing between runaways and missing children. One has fled home voluntarily and can, with the kind of service provided by the runaway youth centers, be persuaded to turn home. Missing children are, of course, the innocent targets of criminal activity. Much thought must be given to properly implementing the Missing Children's Assistance Act so that the runaway centers don't become targets for either law enforcement or missing children's advocates.

The Youth Work Alliance is a member of the National Collaboration for Youth. Attached here are the names of the other groups that also support the reauthorization.

I will just conclude, Mr. Chairman, by saying that in our enthusiasm for increasing appropriations and broadening the scope of the act, we might lose sight of our ultimate objective.

I would like to commend the committee for pointing out that juveniles accounted for one-half of arrests in 1974, and now account for one-third of such arrests in 1983. The Juvenile Justice and Delinquency Prevention Act is working. Young people are committing fewer crimes. For that reason above all, we should maintain the purposes of the Act and protect the integrity of the Office of Juvenile Justice and Delinquency Prevention.

Mr. Chairman, we will be submitting further testimony for the written record. I thank you for the opportunity to testify.

Mr. **Andrews**. Thank you, Bill.

Maybe somewhere along the line we can discuss some of that, but other than here today.

I might just say quickly that we don't think that we have necessarily a final version of the bill. First of all, the missing children's section that is added here is not totally ours. That is Senator Specter's bill, which our colleague and good friend and supporter, Paul Simon, introduced over here. In effect, we just took his bill and, for the time being added it here, meaning to indicate that we are supportive of the principles in the bill. In markup, we will have to consider pernaps various changes in that.

As to the valid court order, it is a political question, so far as we are concerned. We didn't, as you well know, put that in the bill in the first instance. It was added on the floor by way of an amendment. We want to get the bill passed. That is the essence of it. And whereas the valid court order is a portion of it, in which certainly I and other members of the subcommittee have a considerable interest, our primary interest is in getting the bill passed with the inclusion of several of the things you said you likewise approved of. We don't want to lose the bill or get it opened up to just a barrage of amendments to change a lot of things because we are dividing the troops, so to speak, too much over the valid court order issue.

Maybe I am not taking that seriously enough. It is a question of political judgment, and I haven't finalized any opinion about it. It could get removed in markup, or maybe the full committee would see fit to do so rather than me so as to leave me relatively unscarred when I get to the floor with the bill. I don't know what is best at this point. I will talk with Chairman Perkins and others about it before we move it.

Mr. **Treanor**. Mr. Chairman, I appreciate that. I think that we are all realistic enough to know to be prepared to lose on that particular issue this year. We do want to keep the candle burning and, hopefully, 5 years from now, we will be in somewhat of a different political climate. But the views of youth workers remain unchanged on that subject.

Mr. **Andrews**. But it is not simple. There is even the—I was thinking last night when Gordon and I were talking about certain things that we should have done here today which we haven't, and there are a lot of reasons for a lot of that. I don't know that our judgment is always good.

But it is, as you say, without belaboring it further, more of a political problem here of how to protect the rest of the bill—should you leave it in, take it out, let them beat us and put it back in if they do it, et cetera.

Anyway, we appreciate the tremendous support and the good suggestions you and your final organizations as given us, over the last five years at least, and I imagine, as you say eleven. I thank you for your help, and we hope to continue receiving it.

Mr. **Treanor**. Fine. Thank you, Mr. Chairman. You have a great bill here, and I think your staff has done a tremendous job on it. We are looking forward to supporting it all the way though the final passage and signature by the President

Mr. **Andrews**. I might just say for the record in public that certainly Gordon Raley and all of the members of our subcommittee staff have, with this and all the other bills that we have, done an excellent job. I am sure all of the subcommittee and supporters of these programs appreciate the hard work.

Thank you again. I thank all of you who are interested in the program for your most valuable assistance and for your support, politically and otherwise, and I am speaking of the legislation, of course.

With that, if there is nothing further, we stand adjourned. Thank you.

[Whereupon, at 2:45 p.m., the subcommittee was adjourned.]

APPENDIX

Prepared Statement of Roberta Balstad Miller, Ph.D., Executive Director, Consortium of Social Science Associations, Washington, DC

MR. CHAIRMAN, it is with great pleasure and appreciation that the Consortium of Social Science Associations (COSSA) submits the following testimony to the Subcommittee on Human Resources of the Education and Labor Committee of the U.S. House of Representatives to be included as part of the record to the March 7 hearing on the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984 (H.R. 4971).

We would like to take this opportunity to commend you for your longstanding leadership in the field of child welfare and youth services, as recently evidenced by your introduction of H.R. 4971.

COSSA represents 175,000 scientists across the full range of the social and behavioral science disciplines. A list of COSSA Members, Affiliates, and Contributors is attached.

COSSA recognizes the need for continued federal leadership in the administration of juvenile justice and thereby supports the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA) as amended.

We limit our remarks to several of the changes to current law proposed in H.R. 4971. Most notably, we would like to comment on the provisions of H.R. 4971 which concern the process whereby the Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) may award grants and contracts for research and the types of intervention programs or research investigations which are eligible for funding.

AWARDING GRANTS AND CONTRACTS

COSSA strongly supports the provisions in this legislation, Sec. 209(c)(2) and Sec. 212(d)(3), requiring a competitive selection process for new grants and contracts awarded under this program. H.R. 4971 states, "...Any grant or contract made under this part after the effective date of the Juvenile Justice and Delinquency Prevention Act Amendments of 1984 shall be selected through a competitive process to be established by the Administrator..."

A competitive review process would strengthen the research program at OJJDP by permitting the agency to choose from among a range of proposals those which most directly meet its needs and do so at a competitive price. It would permit the agency to fund only the most competitive and most highly qualified proposals.

The legislation also requires that "the Administrator shall announce publicly the availability of funds for such grant or contract, the general criteria applicable to the selection of applicants to receive such grant or contract, and a description of the processes applicable to submitting and reviewing applications for such grant or contract." COSSA supports this provision as well. While OJJDP has issued several notices for solicitation of grant proposals over the past year, such as for the Habitual Serious and Violent Juvenile Offender Program (9-22-83), and its evaluation (1-4-84), and for a Private Sector Corrections Initiative for the Chronic Serious Juvenile Offender (1-16-84), it has come to our attention that a number of grants and contracts were awarded without prior public notice. The agency can only benefit from management procedures that encourage a large number of qualified researchers to submit proposals on topics of importance to the agency. This amendment would also subject the selection procedures to public scrutiny and would serve to guard against funding decisions being made on considerations which are not included in Section 225(c) of the JJDPA.

ELIGIBILITY FOR FUNDING

With respect to the provisions of H.R. 4971 regarding eligibility for funding, COSSA urges the inclusion of language in the Committee report to clarify Section 218(d)(3) governing "Authorization of Appropriations" which states:

> No funds appropriated to carry out the purposes of this title may be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation.

This provision was understandably added in order to prevent the funding of grant proposals which sought to identify juvenile offenders at an early age through such methods as monitoring brain wave activity, skin conductance, testosterone levels, and physical and neurological abnormalities. Such intrusive bio-medical techniques raise serious ethical and legal questions involving experimentation with human subjects and the competence of subjects to render informed consent to treatment, questions which are compounded when children are being considered as subjects. Justice Department regulations (1974) precluded funding studies proposing alterations in hormonal levels (e.g., administration of Depo Provera), electroshock, psychosurgery, or techniques such as those demonstrated in "A Clockwork Orange". Yet some bio-chemical studies such as those performed by Dorothy

Lewis and her colleagues at Yale University which found a relationship between violent behavior and symptoms of psychomotor epilepsy in a sample of juvenile offenders at correctional facilities, have passed close scientific scrutiny and deserved to be funded.

We are concerned that the proposed language prohibiting behavior control experimentation may exert a chilling effect on legitimate studies and programs involving behavior modification techniques in the juvenile justice field. This term could conceivably be defined so broadly as to prohibit delinquency prevention techniques such as parent-training, behavioral contracting, survival skills training, and therapeutic environment milieus.

With respect to parent-training, psychological studies have long demonstrated the important role the family plays in the development of asocial child behaviors (see Glueck & Glueck, 1950; Loeber & Dishion, 1983).

In a review of research on the precursors of delinquent behavior which appeared in the October, 1983, ATLANTIC MONTHLY, Professor James Q. Wilson of Harvard University emphasized the importance of consistent parental disciplinary practices in the development of pro-social child behaviors. In addition, a number of eminent researchers have documented the relationship between severe punishment by parents and resultant aggression by children.

In their work with pre-adolescents in trouble with the law, Gerald Patterson and his associates at the Oregon Social Learning Center have observed a failure on the part of parents to tell their child clearly how he or she is expected to behave, to monitor his or her behavior closely to ensure that their child behaves that way, and to enforce the rules with appropriate rewards and penalties. They observed that parents of anti-social children used both more punishment than did the parents of normal children and failed to make their use of penalties contingent on the child's behavior. Treatment consists of working closely with the families to teach them more desirable and effective ways to behave towards one another in order to break out of the coercive cycle. As compared to conventional therapeutic approaches, the active parent-training techniques have been demonstrated to be more effective in reducing the aggressive behaviors of both parents and children (Patterson, Chamberlain, and Reid, 1982).

Such behavioral techniques which promote family functioning are particularly significant for the purposes of this discussion in light of the added emphasis of H.R. 4971 on efforts to strengthen the family. For instance, as stated in Section 224(a)(16), the Administrator shall "develop model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency."

Moreover, were the aforementioned prohibition incorporated into current law without clarification, the eligibility of the following successful examples of behavioral interventions with troubled youth would also be called into question:

(1) The Adolescent Diversion Project of the University of Illinois was funded by the National Institute of Mental Health

from 1973-1979 and was selected as an exemplary project by the Justice Department. This project recruited college student volunteers to work with local police to divert youth from the juvenile justice system. The program involved behavioral contracting whereby an agreement was negotiated between the youth and the student with clear rewards and penalties for compliance and noncompliance. An evaluation study conducted by Rappaport, Seidman, and Davidson in 1979 demonstrated that youth who participated in the behavioral contracting program had a reduced number of police contact and fewer petitions filed with the court during the duration of the project and in a two-year follow-up study than youth who did not receive any special treatment. This project was replicated by at least two independent groups.

(2) A related study conducted by Wolfred and Davidson in 1977 demonstrated that young children who had come into contact with the law for behavior ranging from truancy to delinquent offenses could be prevented from being placed in an institution through an individual treatment program based on the principles of behavior modification and social learning. An individual treatment plan was developed for each of the children with an emphasis on the reinforcement of positive behaviors. Almost all of the children met the goals set for them during the time they were in the program, including school attendance and conduct goals. At the conclusion of the brief residential placement, the program administrators worked closely with the local child welfare agencies to fund community placements rather than institutional placements for the children who were unable to

return home.

(3) Outward Bound - Wilderness/Adventure programs which involve survival skill training for delinquent youths have been associated with reduced recidivism, aggression, and alienation, and increased self-esteem and socially acceptable behavior. Living in the wilderness with a group of fellow delinquents and engaging in such activities as mountain climbing and white-water rafting teaches youth cooperative living and survival skills.

Through exerting total control over the youth's behavior, the program reduces the sense of alienation felt by many delinquent youth and encourages them to engage in pro-social behavior. In a 1978 report to the Ford Foundation, the Vera Institute of Justice in New York City cited Outward Bound-type programs as one of three exemplary models for the rehabilitation of violent delinquents (Strasburg, 1978).

To summarize, COSSA maintains that legitimate treatment approaches like parent-training and behavioral contracting which involve behavioral techniques must not be precluded from funding under H.R. 4971. It should be noted, however, that prior reference to appropriate punishment for misbehavior by no means includes such unconscionable acts as hog-tying or beating children or placing them in solitary confinement. (All of these "techniques" were documented by the Senate Juvenile Justice Subcommittee investigation of the abusive treatment of juveniles in Oklahoma's state-run facilities.) The behavioral techniques which are presented here for your consideration have demonstrated their success in improving the behaviors of youth in institutional and noninstitutional settings at different stages in the juvenile justice system. They have proven effective in both preventing delinquency and in treating serious and violent juvenile offenders.

In light of the above considerations, we propose the following report language for your consideration:

> This bill would amend current law by prohibiting the appropriations of funds for any biomedical or behavioral control experimental programs or research studies. The ban on biomedical research is consistent with justice department regulations. The restriction on behavior control programs is designed to preclude funding for research that employs punitive methods which are physically or psychologically harmful to juveniles. This provision should not prevent the funding of legitimate behavioral modification research employing such techniques as parent training, behavioral contracting, survival skills training, milieu therapy for drug rehabilitation, restitution and community service, provided that safeguards for the informed consent of subjects (including parents or guardians of minors) are assured.

Thank you for the opportunity to express our views on this important subject. In closing, COSSA appreciates the steps you have taken to ensure the integrity of the OJJDP selection process for grants and contracts and your efforts to safeguard the welfare of youth who come in contact with the juvenile justice system.

CONSORTIUM OF SOCIAL SCIENCE ASSOCIATIONS

Members

American Anthropological Association
American Economic Association
American Historical Association
American Political Science Association
American Psychological Association
American Sociological Association
American Statistical Association
Association of American Geographers
Association of American Law Schools
Linguistic Society of America

Affiliates

American Association for Public Opinion Research
American Educational Research Association
Association for Asian Studies
Eastern Sociological Society
Economic History Association
Evaluation Network
Evaluation Research Society
History of Science Society
International Communication Association
International Studies Association
Law and Society Association
National Council on Family Relations
North Central Sociological Association
Northeastern Anthropological Association
Population Association of America
Regional Science Association
Rural Sociological Society
Social Science History Association
Society for American Archaeology
Society for the History of Technology
Society for Research in Child Development
Society for the Scientific Study of Religion
Society for Social Studies of Science
Southwestern Social Science Association

Contributors

University of California, Berkeley
University of California, Los Angeles
Center for Advanced Study in the Behavioral Sciences
Center for International Studies, Duke University
University of Colorado
Columbia University
Cornell Institute for Social and Economic Research
Cornell University
Georgia Institute of Technology
Harvard University
University of Illinois
Indiana University
Institute for Social Research, University of Michigan
University of Iowa
The Johns Hopkins University
University of Michigan
University of Missouri
University of Nebraska
New York University
University of Oregon
University of Pennsylvania
University of Pittsburgh
Princeton University
Social Science Research Council
University of Southern California
Stanford University
State University of New York at Stony Brook
Texas A & M University
Tulane University
University of Washington
University of Wisconsin, Milwaukee

PREPARED STATEMENT OF CHARLES N. QUIGLEY, ON BEHALF OF CENTER FOR CIVIC EDUCATION/LAW IN A FREE SOCIETY, CONSTITUTIONAL RIGHTS FOUNDATION, AND NATIONAL INSTITUTE FOR CITIZEN EDUCATION IN THE LAW

As the Congress considers the reauthorization of the Juvenile Justice and Delinquency Prevention Act, it is a propitious time to consider the success and promise represented by law-related education. In evaluations sponsored by the National Institute for Juvenile Justice and Delinquency Prevention, law-related education has been demonstrated effective in reducing serious delinquent behavior. Representing as it does a most promising delinquency prevention strategy, law-related education should be recognized as a lasting and beneficial component in the fight against serious juvenile crime and delinquency.

The Need to Include Attention for "An Ounce of Prevention"

The findings of the Attorney General's Task Force on Violent Crime, the President's Task Force on Victims of Crime and other recent proposals suggest the need for a Federal initiative and leadership to help combat the problems of violent crime in our society. This has become increasingly apparent not only through abstract research findings, but because of the frightening fact facing so many Americans that their homes, neighborhoods, schools, communities, and workplaces are no longer safe.

The principles, goals, and values stated clearly in our Declaration of Independence, Constitution, and other fundamental documents set forth the responsibilities of all levels of our government to secure the rights to "life, liberty, and the pursuit of happiness" and to "establish Justice, insure domestic Tranquility, . . . promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity." Such rights and blessings have little meaning to those whose tranquility is beseiged by crime and the threat of crime.

The immediate need to combat violent crime should not result in a plan limited to "mending the fence after the cows are out of the pasture," however. It is important at this time to launch a positive, forward-looking, and comprehensive initiative that deals not just with the immediate need to control violent crime, but with the development and implementation of measures to reduce the rate at which our society is generating criminal behavior among juveniles. The Juvenile Justice and Delinquency Prevention Act has always contained a strong emphasis on delinquency prevention. Research, development, and assistance in implementation and training regarding effective anti-crime and delinquency prevention initiatives must remain a vital component of any balanced program if it is to be effective.

In a speech to the Southwestern Judical Conference, Mark W. Cannon, Administrative Assistant to the Chief Justice of the United States, highlighted the need for a prevention strategy that can secure fundamental commitment to the law-abiding values of society in order to reduce crime:

> "Though alcoholism, poverty, and perceived social injustice all contribute to crime, perhaps there is a deeper force that is causing a breakdown of our society. These merely tip the raft of social order, while a deep current is moving the entire raft at a startling speed. That deep current is our failure to transmit positive values, norms, and attachments from one generation to another."

I submit that the Federal Government's comprehensive initiative on crime reduction should include law-related education -- the "ounce of prevention" that costs far less than the "pound of cure." Law-related education is an available means of strengthening the transmission of positive values and norms and, at the same time, of alleviating some of the most important causes of delinquent behavior. With the support of the Department of Justice, it could be effectively implemented on a national scale. Indeed, with the upcoming bicentennials of the signing of the Constitution and ratification of the Bill of Rights, documents which require an enlightened and responsible citizenry as the foundation of our free society, the opportunity is ripe to expand law-related education programs throughout the Country. These programs, when properly implemented, can develop civic competence, civic responsibility, and law-abiding behavior among our Nation's youth.

The demonstrated relationship of law-related education to the prevention of delinquency and youth crime, coupled with growing public recognition of the need for an effective prevention program, assures the positive acceptance of such an initiative under the auspices of the Department of Justice. National surveys of elementary and secondary school principals and of juvenile and family court judges have revealed striking receptivity to law-related education: A substantial majority of principals surveyed expressed willingness to add the subject to their school curricula; four-fifths of the judges indicated that they were willing to support law-related education by working with local schools. A majority of each group expressed the belief that this course of instruction can improve behavior. Groundwork laid by law-related education efforts in recent years has resulted in the development of vital grass roots constituencies and extensive local interest.

Full realization of the delinquency prevention potential of law-related education requires specialized training for teachers, school administrators, and community resource persons. Involving non-school resources at the outset can assure that programs are of high quality and adapted to meet local needs. Programs supported by such public-private partnerships develop the momentum and critical mass necessary to ensure a lasting and meaningful impact on our educational institutions.

The Federally-sponsored juvenile justice program has a significant opportunity to include this effective and productive program in its overall agenda for the reduction of crime. At this point, resources from the Federal Government could play a catalytic role in bringing together public and private sectors on local and State levels to incorporate respect for law programs throughout the Nation.

Law-Related Education: A Proven and Effective Remedy

Law-related education is a program that fosters among elementary and secondary students civic competence, civic responsibility, and an understanding of and commitment to the fundamental principles, processes, and values essential to the preservation and improvement of our free society.

The curriculum is developed to provide a basis for improved citizenship skills, commitment to work within the legal system to settle grievances, and favorable attitudes toward law enforcement. Teaching strategies require active involvement of the students, police, attorneys and justice system personnel.

It is not an attempt to impose a narrow or partisan political orientation on the schools, nor is it a means of teaching people to become "schoolhouse" lawyers. Rather it provides diverse, proven, and practical approaches useful in the reform and revitalization of civic education programs in our Nation's schools. Law-related education promotes a "legal literacy" which helps students avoid legal problems and learn to deal more responsibly and effectively with such problems when they do arise. Careful observation of the effects of law-related education over the past 15 years has revealed its significant potential. Most important, in testing over the past few years by the Department of Justice, law-related education has been demonstrated to reduce students' resort to violence, delinquency and youth crime, including thefts, assaults and drug use.

A number of members of local and state bar associations, law enforcement agencies, judges' associations, educators, and other concerned community organizations have begun focussing their attention and resources on the development and implementation of law-related education programs in both public and private schools. As a result, the American Bar Association estimates that today there are over 500 law-related education projects in the Nation. However, these projects presently reach only 10 to 15 percent of the student population.

Such programs have added to the growing body of evidence that law-related education may be one of the most effective remedies not only for delinquency but also for the general failure of young people today to fulfill adequately their responsibilities as citizens. This positive effect is due in large part to the emphasis of law-related programs on the development of commitment to a cohesive framework of civic ideals that are required to bind together the diverse elements and interests of our free society.

Developments in delinquency prevention theory support the view that the schools play a most significant role. They can either provide settings for the generation of delinquency and youth crime or programs that aid in reducing such behavior, fostering a commitment to fundamental social values and adherence to conventional norms. Such developments have led to intensive testing of law-related education programs supported by the National Institute for Juvenile Justice and Delinquency Prevention of the Office of Juvenile Justice and Delinquency Prevention. Preliminary findings of this research have validated the results of earlier law-related education evaluations. They have revealed their delinquency prevention potential, not only in educational institutions but in diversion programs as well, when implemented in accordance with prescriptions regarding duration, instructional strategy, and the involvement of the community.

Preliminary findings released in 1981 after two years of study suggested that sound educational and delinquency prevention programming went hand in hand and that, when taught according to properly prescribed principles, law-related education results in a significant reduction of student participation in delinquent activities. Subsequent findings over the past two years continue to confirm that law-related education taught according to specific, identifiable standards can serve as a significant deterrent to delinquent behavior. In evaluations conducted by the Social Science Education Consortium, Inc., and the Center for Action Research, Inc., under the sponsorship of the National Institute for Juvenile Justice and Delinquency Prevention, the Law-Related Education Evaluation Project has confirmed the positive, delinquency prevention impact of law-related education.

Alfred S. Regnery, the presidentially-appointed Administrator of the Office of Juvenile Justice and Delinquency Prevention has noted: "According to OJJDP's evaluation, LRE [law-related education], when properly taught, can reduce students' tendency to resort to violence, can enhance their understanding of our legal system, and can develop more constructive attitudes toward it." He has further observed: "I consider Law-Related Education a most effective delinquency prevention program . . . ."

Law-related education is by all accounts one of the few truly promising elements of the Federal Government's delinquency prevention efforts. The program works, it is cost effective and it has a broad base of support.

Educators, students, and members of bar associations and other community groups who have been involved in law-related education programs have developed an enthusiasm and interest in the field that provides an impetus to expanded implementation. Such interest has recently resulted in increased attention and support from such diverse groups as the National Parent Teachers Association, National Association of State Boards of Education, National Association of Secondary School Principals, National Association of Elementary School Principals, the National Council for the Social Studies, the Council of Chief State School Officers, and Phi Alpha Delta Law Fraternity International. These organizations, coupled with the longstarding interest and involvement of the American Bar Association, numerous state and local bar associations, the International Association of Chiefs of Police. the National District Attorneys' Association, the Conference of Chief Justices and other groups provide a sound base and resource for the widespread implementation of law-related education programs.

Functions and Activities of a Law-Related Education Center

In light of law-related education's effectiveness and potential, a Center for Law-Related Education should be established under the supervision of the Department of Justice as a part of its comprehensive anti-crime program. The following briefly outlines some of the suggested functions and related activities that might be accomplished by such a Center.

Research and Development

The Center would provide support for research and development in:

- long-range evaluation of the effects of law-related education on students' knowledge, skills, attitudes, and behaviors; continuation of evaluation efforts to include longitudinal study of the delinquency prevention impact of law-related education;
- studies on other aspects of law-related education as they may affect cognitive and affective learning and behavior;
- developing new areas of law-related education for use in diversion programs for students being considered for suspension or expulsion;
- translating and linking research to practice so that proven programs and practices can be more effectively implemented in classroom and juvenile justice settings.

Demonstration

An increased number of demonstration projects could be supported and state and local education and juvenile justice agencies provided assistance in:

- promoting the adoption or adaptation of models which have proved successful in other localities;
- implementing programs in areas with special needs, for example, high crime areas, areas in which there is ethnic and racial conflict, or areas in which there is a high density of recent immigrants;
- implementing programs in institutions with special needs, for example, correctional institutions and group homes.

Training and Coordination

Efforts could be made to coordinate law-related education programs across the country by:

- providing assistance to key personnel in state and local education and juvenile justice agencies in using available resources effectively in the development and implementation of law-related education and other delinquency prevention programs;
- providing training and support services to directors and staff of projects in law-related education and related delinquency prevention projects.

Cooperation

Initiative activities could be designed to foster cooperation among:

- law-related education projects and other groups involved in the improvement of civic education and prevention of delinquency and violent crime, for example, key members of bar associations, law enforcement agencies, district attorneys' and public defenders' associations, and judicial associations;
- various departments at all levels of government whose responsibilities may include delinquency prevention and civic education, for example, at the Federal level the Office of Juvenile Justice and Delinquency Prevention, the Department of Education, the Federal Bureau of Investigation, the National Science Foundation, the National Endowment for the Humanities, the National Institute for Education, and the Department of Health and Human Services.

Awareness

The development of widespread awareness of the benefits of law-related education could be increased by:

- the linking of the initiative with the forthcoming bicentennials of the signing of the

Constitution and the adoption of the Bill of Rights and enlisting the participation of groups from the private sector such as the American Bar Association, American Political Science Association, American Historical Association, and Phi Alpha Delta Law Fraternity International;

- the use of television and other media, public statements, conferences, and presentations at conventions of major organizations involving the direct participation or support of the President, Members of Congress, the Chief Justice, the Attorney General, the Secretary of Education, Governors, prosecutors, judges, law enforcement officers and other key figures in Federal, State and local government.

Conclusion

As a component of a comprehensive initiative against crime and delinquency, a Center for Law-Related Education can consolidate the success of past experience and fulfill its promise by making law-related education a permanent part of our cooperative effort against juvenile crime and delinquency.

The substance, methods, goals, and objectives of law-related education are consistent with promoting an understanding of and commitment to the fundamental principles, processes, and values of our national heritage. Its emphasis on the prevention of delinquency and youth crime and the development of civic responsibility affirms that the maintenance of law and order is not solely a responsibility of law enforcement, the courts, and corrective institutions, but of every member of our society.

The themes of law-related education are timely, because they meet well-recognized and pressing concerns in our schools and communities, and are broadly supported among members of the judiciary legal professionals, law enforcement agencies, educators and members of the Congress and the Administration. There is adequate expertise now available to provide the assistance required for the implementation of law-related education as a National effort. Law-related education is an initiative that will generate a high multiplier effect from limited Federal investment by increasing the allocation of resources and participation among the public and private sectors at the State and local levels. Law-related education is a broadened response to the problem of crime that can help our young people realize their futures as productive and responsible members of a more law-abiding public. I respectfully recommend a Center for Law-Related Education for your attention.

DEC 29 1983

DANTE B. FASCELL
19TH DISTRICT, FLORIDA

COMMITTEES:
FOREIGN AFFAIRS:
CHAIRMAN, INTERNATIONAL OPERATIONS SUBCOMMITTEE
MEMBER, INTERNATIONAL SECURITY AND SCIENTIFIC AFFAIRS SUBCOMMITTEE
GOVERNMENT OPERATIONS
MEMBER, LEGISLATION AND NATIONAL SECURITY SUBCOMMITTEE
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Congress of the United States
House of Representatives
Washington, D.C. 20515

CHARLES R. O'REGAN
ADMINISTRATIVE ASSISTANT

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
CHAIRMAN

CANADA—UNITED STATES INTERPARLIAMENTARY GROUP
CO-CHAIRMAN, U.S. DELEGATION

December 22, 1983

The Honorable Ike Andrews
Chairman
Subcommittee on Human Resources
2178 RHOB
Washington, D.C. 20515

Dear Mr. Chairman:

The enclosed letter from the Youth Advisory Council of Metropolitan Dade County, is forwarded for your information.

Your consideration and comments regarding their concerns would be greatly appreciated.

Sincerely,

Dante

DANTE B. FASCELL
Member of Congress

DBF/JK
Enclosure

METROPOLITAN DADE COUNTY · FLORIDA

P.O. Box 61-0604
North Miami, FL 33161

YOUTH ADVISORY BOARD

November 9, 1983

The Honorable Dante B. Fascell
7855 S.W. 104 Street
Suite 220
Miami, FL 33256

Re: Reauthorization of The Juvenile Justice and Delinquency Prevention Act

Dear Representative Fascell:

The Youth Advisory Board has voted it's strong support of the reauthorization of the Office of Juvenile Justice and Delinquency Prevention, established by Congress in 1974, and reauthorized twice to September 1984.

We are particularly concerned that this act not only be reauthorized, but strengthened 1. as to mandates for removal of juveniles from adult jails and lock-ups and status offenders from secure detention, 2. emphasizing delinquency prevention and alternatives to institutionalization, 3. provision of programs to assist runaway and homeless youth and their families, 4. provision of adequate funding for the juvenile justice, runaway and homeless youth programs (which has been cut in recent federal budgets), and 5. parent representation on federal and state juvenile justice advisory committees.

Dade County currently receives some $400,000 for these programs, which have been positively evaluated, and there is need for more. Our Juvenile Detention Center (HRS) houses as many as 200, while at the same time the County Jail has from 55 to 75 or even over 100. Some in the jail have been as young as eleven years and some have been detained as long as sixteen months. We detain far too many juveniles, with negative consequences to them and to the community.

Representative Dante Fascell
Page Two
November 9, 1983

Re: Reauthorization of the Juvenile Justice and Delinquency Prevention Act

We appreciate your concern for children and look forward to your reply concerning this matter so important to our community.

Sincerely Yours,

Ruth O. Kruse
Ruth O. Kruse', Chairperson
Wesley S. Nock
Wesley S. Nock, M.D., Vice Chairperson

ROK/WSN/rm

CC: Honorable Mayor Stephen P. Clark and Dade County Commissioners
Dade County Manager M.R. Steirheim
Judges of the 11th Judicial Circuit, Juvenile Division
Dade Miami-Criminal Justice Council, Dr. Jeffrey Silbert
Dade Delegation to Florida Legislature, Chairman and Vice Chairman
Honorable D. Robert Graham, Governor

Letters also sent to:

Senator Lawton Chiles
Senator Paula Hawkins
Representative Claude Pepper
Representative William Lehman
Representative Lawrence Smith

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

APR 24 1984

The Honorable Carl D. Perkins
Chairman, Committee on Education
  and Labor
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your request for the Department's views on H.R. 4971, a bill "To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1985 through 1989, and for other purposes."

In summary, we defer to the Department of Justice on the merits of titles I and II of the bill, as these titles amend programs administered by that agency. We also defer to the Department of Justice on the merits of title IV, the Missing Children's Assistance Act. In regard to title III, which would extend and amend the program under the Runaway and Homeless Youth Act (RHYA), we support extending this program but object to some of the provisions of the bill.

Title III of the bill would extend the program under the RHYA for five years, through fiscal year 1989, and would authorize to be appropriated $25,000,000 for fiscal year 1984, $26,250,000 for fiscal year 1985, $27,600,000 for fiscal year 1986, $28,950,000 for fiscal year 1987, $30,400,000 for fiscal year 1988, and $31,900,000 for fiscal year 1989. The bill would also limit the Department's authority to combine funds appropriated under the RHYA with funds under any other Act in order to make a single discretionary grant or a single discretionary payment.

The Administration supports extension of the program under the RHYA, and transmitted a draft bill to the Congress on March 7, 1984 to extend the program for three years, through fiscal year 1987. However, we oppose the provision in H.R. 4971 that would extend this program for five years, rather than the more usual three year extension. Three years is a reasonable length of time in which to assess the operation of the program, and to decide whether any changes might be necessary to improve the program. Therefore the three year period is most conducive to both Executive Branch and Congressional oversight.

With respect to the authorization of appropriations for the Runaway and Homeless Youth program, we prefer the provisions in the Administration bill. We do not support the proposal in H.R. 4971 to increase funding for the program to $25,000,000 in fiscal year 1985, rising to $31,900,000 in fiscal year 1989, because we believe the funding levels requested by the Administration are sufficient to carry out the program. In addition, given the necessity to curb the growth of Federal spending and to support the President's plan for continued economic recovery, we cannot support this increase. We urge substitution of the Administration's proposal to authorize appropriations of $10,504,000 for fiscal year 1985 (the approximate historical level for this program from 1973 through 1982), $10,746,000 for fiscal year 1986, and $10,977,000 for fiscal year 1987.

We oppose the proposal in the bill to limit the Department's authority to combine funds appropriated under the RHYA with funds appropriated under any other Act in order to make a single discretionary grant or a single discretionary payment. The runaway and homeless youth served by this program can benefit from crosscutting programs, both in terms of improved coordination with other programs and in leveraging the use of other sources of funds.

The bill also fails to amend the RHYA to authorize grants to for-profit organizations, an amendment we support because it would allow the Department to select the most qualified service proproviders in order to assure the most efficient and effective provision of services to runaway and homeless youth.

For the foregoing reasons, we oppose enactment of title III of H.R. 4971 and we urge you to support the Administration alternative, which has been introduced as H.R. 5226. The remainder of the bill would not substantially affect this Department's programs; we therefore defer on the merits of those portions of the bill to the Department of Justice, which is more directly concerned.

We are advised by the Office of Management and Budget that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

Margaret M. Heckler

Secretary

APR 13 1984

State of California
GOVERNOR'S OFFICE
SACRAMENTO 95814

GEORGE DEUKMEJIAN
GOVERNOR

March 30, 1984

The Honorable Ike Andrews
Member of Congress
Rayburn House Office Building
Room 2201
Washington, D.C. 20515

Dear Congressman Andrews:

I am committed to helping California's children become responsible citizens. I am also committed to making our communities safe.

The Federal Juvenile Justice and Delinquency Prevention Act has provided strong national direction and support for states to combat youth crimes. This program has been a strong foundation for California's service and treatment efforts for children.

The Act will expire on September 30, 1984. H.R. 4971 (Andrews) would re-authorize the Juvenile Justice and Delinquency Prevention Act with important improvements. Your support of this legislation is vital for our children and our nation.

I encourage your support for this important program.

Most cordially,

George Deukmejian
George Deukmejian

STATE OF CALIFORNIA
GEORGE DEUKMEJIAN, Governor
OFFICE OF CRIMINAL JUSTICE PLANNING
9719 LINCOLN VILLAGE DRIVE, SUITE 602
SACRAMENTO, CALIFORNIA 95827

April 4, 1984

Honorable Ike Andrews
U.S. House of Representatives
Committee on Education and Labor
Rayburn House Office Building, Room 2201
Washington, D.C. 20515

Dear Congressman:

Subject: Reauthorization of the Juvenile Justice
and Delinquency Prevention Act

The Juvenile Justice and Delinquency Prevention (JJDP) Act will terminate on September 30, 1984. Since its inception in 1974, the JJDP Act has inspired and supported important services and programs dealing with delinquency prevention and improvements in the juvenile justice system. H.R. 4971 (Andrews) provides for the reauthorization of this program with important improvements.

It is vital that leadership at the national level recognize and support local efforts in dealing with delinquency prevention and improving juvenile justice. The JJDP Act has been a valuable foundation for California in providing care and treatment services for juveniles. The Act has supported successful and needed services for minors, including the areas of: child abuse, school safety, crime control and delinquency prevention, reduction of gang violence, drug abuse suppression, separation of minors from adults in jails, and deinstitutionalization of status offenders.

Your support for H.R. 4971 to reauthorize the Juvenile Justice and Delinquency Prevention Act is vital. A great deal has been accomplished under this program. We must vigorously support our most valuable resource -- our children.

Sincerely,

Michael W. Agopian
DR. MICHAEL W. AGOPIAN
Chairman, State Advisory Group on
Juvenile Justice and Delinquency Prevention

MWA:ch

REAUTHORIZATION
OF THE
JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

I. POSITION

California supports the reauthorization of the Juvenile Justice and Delinquency Prevention (JJDP) Act.

II. INTRODUCTION

It is of utmost importance that the federal government continue its leadership role in the juvenile justice area. Federal emphasis on juvenile programs reinforces the importance of the greater amenability of youthful offenders to prevention, rehabilitation and deterrance from criminal behavior. It recognizes that the future of the nation rests on our children and is important that the juvenile justice system not become subservient to the adult justice system. An effective attack on the threat of crime requires a balance which focuses on the serious violent offenders yet, does not ignore the needs of young people in our society.

California has participated in the JJDP Act Formula Grant Program since 1975. The State has received a total of $40 million to support local public and private agency projects dealing with services for juveniles. The State has consistently distributed a minimum of at least seventy-five percent (75%) of its annual allocation to local public and private agencies to support juvenile services.

The availability of JJDP funds has been of great assistance to California's juvenile justice system. Local public and private agencies have utilized these funds to initiate effective pilot programs, demonstrated their success, become strong competitors for local support, and in many cases, continued with local funding.

Reauthorization of the JJDP Act is of great importance to California. Since FY 1982, California's allocation has been approximately $4 million annually. Although the amount is small compared to the total expended in the state for criminal justice, it is critical in terms of the message it conveys and in supplementing local funding for services and treatment to juveniles. The funding has allowed private agencies to demonstrate their value in the juvenile justice system complementing public agencies to provide a full range of service and treatment needs for juveniles. The impact of these projects results in a greater balance of appropriate services assisting in alleviating already crowded public juvenile facilities and huge caseloads carried by probation personnel.

III. DISCUSSION

A. Program Areas

Under the JJDP program, California has consistently set aside funding for the following program areas:

- Serious and Violent Juvenile Offenders
- Child Abuse
- Delinquency Prevention
- Community Corrections and Restitution
- Diversion

1. Serious and Violent Juvenile Offenders

During FY 1982, under the State Gang Violence Suppression Program legislation, AB 788 (Chapter 1030, 1981 Statutes), nine projects were initiated dealing with hardcore juvenile gang offenders. The program was started with $1 million of federal JJDP grant funds. The nine projects include six local District Attorney operations and three private agencies.

The six District Attorneys' operations include the counties of Los Angeles, San Diego, Santa Clara, San Joaquin, San Bernardino, and Sacramento. These operations concentrate on enhanced prosecution efforts and resources to identify, apprehend, and prosecute gang members involved in serious and violent offenses. The three private agencies include: Sey Yes, Inc. (Los Angeles), City of Chino (San Bernardino County), and Cleland House of Neighborly Services (East Los Angeles). These projects provide support and consultation to law enforcement; exchange information with gang programs; and maintain an outreach program designed to inform local law enforcement.

Due to the early indication of success, for FY 1983-84 the State General funding shares in the cost of continuing all nine projects with JJDP funding at a ratio of seventy-five percent (75%) (State) and twenty-five percent (25%) (federal).

Additionally, during FY 1983-84 three other District Attorneys' operations have been initiated in the counties of Orange, Santa Barbara, and San Francisco. These projects contain the same emphasis as listed above for the original six District Attorneys' programs.

The focus of these programs is to identify, apprehend, and prosecute gang members who are leaders of violent offenses allowing other juvenile programs to better deal with gang members who are followers and less prone to violent activities. This concept which is beginning to show early success needs continued support so that gang members may be guided and redirected into positive activities.

2. Delinquency Prevention

Since initial participation in the JJDP program, California has set aside on an annual basis approximately thirty percent (30%) of its allocation to the delinquency prevention program area. The State maintains that delinquency prevention activities make sense and are essential for early identification of youth at risk to provide intervention services. Both of these activities are effective prevention techniques.

Delinquency prevention programs include: projects which identify and/or directly serve the troubled but pre-delinquent youth and family; projects which offer wholesome alternatives to destructive behavior and provide guidance by responsible adults for youth at risk; programs which educate youth, their parents, teachers, and others toward beter understanding of and cooperation with the law and its representatives, or improve learning, parenting skills, and develop employment related skills to promote economic stability; and projects which promote the coodination of community resources to improve services to youth.

Projects funded in California with JJDP resources include:

- Juvenile Diversion and Delinquency Prevention Program - City of Galt Police Department
- Placer/Sacramento Family Intervention - Sierra Family Services
- Work Apprenticeship Project - City of Rohnert Park, Department of Public Safety
- Positive Youth Development Initiative - San Diego Youth and Community Services, Inc.
- Youth Services Resource Team - City of Ridgecrest Police Department

B. Program Coordination

Through the efforts of the Office of Criminal Justice Planning (State Planning Agency) with JJDP funds, local public and private agencies are working together in a spirit of cooperation to address the issue of youth crime control and delinquency prevention. The State Request-For-Proposals (RFP) for both FY 1982 and 1983 required letters and/or memoranda of understanding between private organizations and local public agencies which clearly indicated support by the public agency primarily responible for juvenile offenders as well as a commitment to refer cases to the private agency project.

This requirement allowed an opportunity for public agencies to work with and assign appropriate cases to private agencies resulting in better overall treatment and services for juveniles.

IV. AREAS REQUIRING FURTHER ASSISTANCE

Although California has made good progress under the JJDP program, there remain issues which still need attention. These issues are:

A. Alcohol and Drug Abuse in the Schools

California has initiated a program to begin addressing this problem. State Legislation, AB 1983 (Chapter 952, 1983 Statutes), establishes the Suppression of Drug Abuse in Schools Program. An appropriation of $1.9 million is available for projects to be operated jointly by local school districts and law enforcement.

The interest in the program has prompted California to allocate FY 1983 JJDP funds identified for the Research and Evaluation program category. With this meager beginning, any success emanating from this program can be shared and should be supplemented with JJDP funding.

B. School Violence

Violence and vandalism in the schools have become an increasing concern for educators and the public. Acts of violence and vandalism are occurring with more frequency and intensity than in the past. In some schools, problems have escalated to such a degree their effectiveness as learning institutions has been destroyed. The primary function of a school system is to educate its students. To accomplish this, the safety and security of students and teachers must be guaranteed.

The general public in California exercised its concern by passing Proposition 8 in June 1983. One part of that Proposition is entitled, "Right to Safe Schools". It states:

> "All students and staff of public primary elementary, junior high and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful."

C. Victim Assistance

Victim assistance services is an important issue nationwide. In California, with the passage of Proposition 8, "The Victims Bill of Rights", the general public has expressed its desire. The concern for victims and their rights within the criminal justice system have been overlooked and a recognition of their need for services is overdue.

California has been the leader in establishing a program to compensate victims of crime. Its program was started in 1965. Therefore, it is an established program which is appropriate to supplement with JJDP funding as it applies to victims of juvenile offenses.

D. Development of Alternatives for Juvenile Offenders

The State needs assistance in the development of good alternatives to incarceration for appropriate juvenile offenders. The best alternative is one that is least restrictive, yet instills a sense of responsibility in the juveniles for their errant act. A restitution or public service program has that positive impact and is of value in reinforcing accountability and responsibility.

Although this is not a new idea, the extent of its use is rare. However, the passage of Proposition 8 in California necesitates the development of juvenile offender restitution programs. Section 28(b) of Proposition 8 states:

"It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to restitution from the persons convicted of the crimes for losses they suffer.

"Restitution shall be ordered from the convicted persons in every case regardless of the sentence or disposition imposed in which a crime victim suffers a loss, unless compelling and extraordinary reasons exist to the contrary. The Legislature shall adopt provisions to implement this section during the calendar year following adoption of this section".

E. Program for Status Offenders

Juvenile Justice personnel statewide seem to be in accord that there is a lack of programs for status offenders, specifically runaways. Secure detention of status offenders is prohibited by both the JJDP Act and the State Welfare and Institutions Code.

Runaways cause concern for law enforcement, parents, the public and a concern for their own safety. They are often preyed upon by illegal profiteers in prostitution and pornography.

Services need to be developed which deal with juveniles who are offenders only because of their age. Continued lack of services will contribute to a potential group of adult offenders.

V. RECOMMENDED REVISIONS TO THE JJDP ACT

California recommends the reauthorization of the JJDP Act. The State also recommends the following revisions:

A. The Office of Juvenile Justice and Delinquency Prevention be an integral part of the U. S. Department of Justice and the Administrator be appointed by the Attorney General.

B. Although the federal government has definite responsibility in the juvenile justice area, it should refrain from mandating requirements on the States. This comment refers to the requirements of deinstitutionalization, separation and removal.

C. The JJDP Act be reauthorized for a period of five (5) years and the funding level be not less than $100 million.

Respectfully,

Michael W. Agopian

DR. MICHAEL W. AGOPIAN
Chairman, California Advisory Group on
Juvenile Justice and Delinquency Prevention

NATIONAL PTA
700 NORTH RUSH STREET
CHICAGO, ILLINOIS 60611-2571
(312) 787-0977

RESOLUTIONS ADOPTED BY DELEGATES TO THE 1983 NATIONAL PTA CONVENTION

REMOVING CHILDREN AND YOUTH FROM ADULT JAILS AND LOCKUPS

__Whereas__, More than one-half million children are detained in the nation's adult jails and lockups every year; and

__Whereas__, Approximately forty thousand of the children jailed are under 14 years of age; and

__Whereas__, According to the Office of Juvenile Justice and Delinquency Prevention, more than 19,000 children are jailed each year as status offenders--i.e., runaways, etc.; and

__Whereas__, Jails do not have space appropriate for housing children apart from adults, which results in their being placed in isolation that is psychologically harmful, or into situations where they are physically or sexually abused by adults; and

__Whereas__, Recidivism is higher among children in jails than among children in other types of juvenile care; now therefore be it

__Resolved__ That the National PTA promote and encourage state and local PTA efforts to have children removed from jails and lockups in every city and county throughout the nation and placed in more appropriate facilities; and be it further

__Resolved__ That PTAs/PTSAs get involved in or originate a local citizens advisory council to the juvenile court in their counties.

GIRLS CLUBS OF AMERICA, INC.

GCA POLICY STATEMENTS

APRIL 1983

JUVENILE JUSTICE

I. GCA Policy Statement

Girls Clubs of America (GCA) endorses the right of girls and young women to understand and derive the full benefits of the legal system of our country. We support programs which foster knowledge and understanding of this system and encourage girls to function within its boundaries. Despite these efforts, some girls will come into contact with the juvenile justice system, usually for non-criminal acts, commonly called status offenses. Therefore, GCA encourages those programs which distinguish and separate girls who are status offenders from those who have committed criminal acts and which provide appropriate services for status offenders in non-secure settings. GCA also believes that no minor should be placed in an adult jail. *

For all girls who do come into contact with the juvenile justice system, we support programs which strengthen family units, foster decision-making skills, utilize community-based settings, and provide opportunities for alternative education. It is critical that these and other programs for troubled girls be adequately funded.

Adopted by the GCA Council
April 25, 1983

II. Background

Although as a nation we believe in equal justice before the law, our courts treat juveniles as a special group. Within that group, girls are often treated differently from boys. Frequently they are more harshly treated at intake and disposition than are boys accused of more violent or seriously anti-social behavior.

Increased knowledge and public awareness have not been reflected in changes in the operation of the juvenile justice system as it affects girls. Most behavior that brings girls before the court has sexual implications, making the entire question of girls and juvenile justice a highly charged issue. There have been few efforts directed at changing public attitudes about the treatment of girls in this context.

III. Significant GCA Activities

8

- In 1974, GCA passed its first resolution on juvenile justice, supporting six fundamental principles:

  1. A new, national program to coordinate and give leadership to all levels of delinquency prevention efforts.
  2. Adequate funding for prevention and rehabilitation, and creation of alternatives to institutionalization of juveniles both within and outside the juvenile justice system.
  3. Establishment of a National Institute of Juvenile Justice to provide for independent compilation, evaluation and dissemination of program information.
  4. National standards for the operation of juvenile courts at all stages - intake, adjudication, disposition and conditions of confinement.
  5. Emphasis on community-based prevention, diversion and treatment facilities.
  6. Significant participation of private voluntary agencies in carrying out this program with express funding eligibility.

  This enabled national staff to assist member Clubs in becoming knowledgable about the issues and active in expressing their views to their representatives in Congress. After passage of the Juvenile Justice and Delinquency Prevention Act (JJDPA) of 1974, GCA became active in and eventually gave leadership to the Juvenile Justice Program Collaboration comprised of 16 national organizations. This group worked in 5 communities to deinstitutionalize status offenders and to provide alternative programming through their local affiliates.

- In 1976, the GCA Council passed the following resolution:

  We are committed to work with other groups towards a comprehensive network of voluntary community programs to serve the status offender population based on the following principles:

  (1) No status offender should be placed in a detention or corrections facility and youth currently in such facilities should be de-institutionalized;
  (2) Greater emphasis should be placed on prevention, and non-coercive community services, preferably through the expansion of existing services, must be developed to meet the needs of the children now processed as status offenders by the court;
  (3) Services must safeguard the rights of juvenile status offenders and their families;
  (4) The needs of girls and minorities, who are over represented in the status offender population, require special efforts;
  (5) Ways and means must be found to develop collaboration within the private sector and within the government sector in order to maximize the potential strengths of the voluntary agency community in serving status offenders;
  (6) The development of appropriate program resources to provide these will be a priority in line with our role as advocates for girls.

- In 1977, GCA was awarded its first national federal contract to develop delinquency prevention models in 7 communities across the country. This 3 year project led to specialized publications, workshops, training and a heightened awareness of the responsibility to provide services to all girls including those most at risk.

- A resolution supporting the reauthorization of the JJDPA was passed in 1980:

  Girls Clubs of America supports the reauthorization of the Juvenile Justice and Delinquency Prevention Act in accordance with the principles adopted by the Council in 1974 and 1976. Further, we support reauthorization that insures separate Congressional consideration of the Office of Juvenile Justice and Delinquency Prevention, a separate budget line, and equal status within the newly organized Office of Justice Administration, Research and Statistics (OJARS). Throughout the legislative history of this Act, GCA has testified before Congress, supported collaborative testimony, monitored implementation, commented on guidelines, and informed affiliates about the issues and the need for expressing their interest to their legislators.

- In 1981, the basic text of the present policy statement was adopted as a comprehensive resolution by the GCA Council entitled, "Girls and the Law."

STATE ALLIANCE FOR YOUTH
444 West 56th Street
Room 5125
New York, New York 10019
Flora Rothman, Chairperson

Telephone 212 489-3588

December 5, 1983

Mr. Gordon Raley
Staff Director
House Education and Labor Committee
Subcommittee on Human Resources
2178 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Raley:

As a statewide alliance of consumers, providers, advocates and funders of community based youth services, we would like to be recorded as strongly supporting the reauthorization of the Juvenile Justice and Delinquency Prevention Act.

This Act has been instrumental in starting many effective programs and projects both within our State of New York and throughout the nation. As a result, much has been accomplished in carrying out many of the objectives of the Act. However, much more is yet to be done. The Act's work is by no means complete. We therefore strongly support reauthorization of the Act.

In your deliberations on the future of this important legislation, please feel free to request any information or assistance from us that might be helpful.

Sincerely,

Flora Rothman

Flora Rothman
Chairperson

STATE ALLIANCE FOR YOUTH 444 West 56th Street Room [illegible] New York, New York 10019

Flora Rothman, chairperson
(212) [illegible]

BACKGROUND

The State Alliance for Youth began in April of 1982 as a broad based think tank group. It was called together initially by the New York State Division for Youth to rethink possible future directions in light of the anticipated impact of the Federal cutbacks on essential community youth services. The membership was drawn from organizations that represented a statewide cross section of those interested in youth including funding organizations, advocacy groups and youth service providers. Following several meetings, the group decided to establish themselves as an independent alliance for the purposes described below.

PURPOSE

As consumers, providers, advocates and funders of community youth services we have formed this alliance to work together to improve the quality and quantity of services, activities, and opportunities available to advance the moral, social, mental and physical well-being of the youth of New York State and to address those conditions that prevent these young people from becoming valued, contributing members of society.

This alliance shall:

1. share information and concepts on specific statewide youth-related issues, programs and trends;
2. promote public policies and foster community awareness in regard to these issues;
3. coordinate efforts and develop mutual strategies to impact on the conditions, policies and services affecting youth and youth services;
4. provide advice to the New York State Division for Youth and other appropriate public agencies on specific policies and issues related to youth.

MEMBERSHIP

Warren McCook	American Red Cross of Greater New York
Lon Erb	Association of Settlement Houses and Neighborhood Centers
Dennis Fleming	Association of New York State Youth Bureaus
George Krupanski	Boys Club of America
Mary Lou Brewer	Cooperative Extension 4-H Program
Frank Petrus	Empire State Coalition of Youth and Family Services
Eleanor Muhlmiyer	Federation of Protestant Welfare Agencies
Ed Caraballo	Fortune Society
Mary McCormick	Fund For The City of New York
Steven Greenfield	Girls Club of America
Mary Francis Peters	Girl Scouts, USA
Joan Delaloye	Greater New York Fund/United Way of New York
Jeff Newman	National Child Labor Committee
Flora Rothman	New York Coalition of Juvenile Justice and Youth Services
Jim Hogan	New York State Parks and Recreation Society
Brenda Leiewer	New York State Public Affairs Committee of the Junior League
William Johnson	New York State Urban League
Nancy Navarro	P.R.O.G.R.E.S.S.
James Cashen	State Council on Catholic Charities
Neal Older	State of New York Police Juvenile Officer's Association
Fritz Simonson	Y.M.C.A. of Greater New York

JAN 9 - 1984

13

The Honorable Ike Andrews
House of Representatives
Washington, D. C. 20515

© USPS 1981

Jan. 06, 1984

Dear Representative:

As a counselor of a program for runaways, I feel very strongly that Congress should support the office of Juvenile Justice D.P. This is the one way that young folks have a voice.

Thank you for your support.

Maxine Brandon MSSW, CSW
Maxine Brandon
Counselor
413 E. 3rd. Street
Amarillo, Texas 79101

US Postage 13c

JAN 9 - 1984

The Honorable Ike Andrews
House of Representatives
Washington, D.C. 20515

© USPS 1981

January 06, 1984

Dear Representative Andrews:

As the supervisor of a program for runaways, I feel very strongly that Congress should support the office of Juvenile Justice D P. This is the only way that young people have a voice.

Thank you for your support.

Marilyn Panagiotou

Marilyn Panagiotou
Counseling Supervisor
413 E. 3rd. Street
Amarillo, Texas 79101

"Family Court"

Stark County Office Bldg.
209 W. Tuscarawas St.
Canton, Ohio 44702

Tel. Area 216 - 454-6651

HON. W. DON READER
HON. ROBERT E. MYLETT
Judges

STERLING WINN
Director of Court Services

MAR 7 - 1984

MAR 5 - 1984

March 2, 1984

Congressman Ike Andrews
2201 Rayburn Building
Washington, D.C. 20515

Dear Congressman Andrews:

Re: Reauthorization of the Juvenile Justice and Delinquency Prevention Act

I was advised this date of a hearing before your committee to be held either Tuesday or Wednesday relative to reauthorization of the above Act. As Chairman of the Governmental and Legislation Committee of the National Council of Juvenile and Family Court Judges, I would request the opportunity to testify before your committee at some later hearing on this legislation.

As you are aware, the National Council which represents juvenile judges and other experts in the field have been very involved and in the past have had input. We would welcome the opportunity to give testimony and any other assistance that we could offer.

The Council is in favor of reauthorization of the Act but we feel very strongly that Federal mandates upon states should be eliminated. In addition, and of primary importance, is the retention of the Valid Court Order Amendment passed overwhelmingly by both houses of Congress during the 1980 reauthorization.

Thank you for your consideration.

Very truly yours,

W Don Reader

W. Don Reader, Chairman
Governmental and Legislation Committee
National Council of Juvenile and
Family Court Judges

WDR:mrg

"Court of Common Pleas, Division of Domestic Relations and Juvenile"

MAR 20 1984

Elmo Oxborrow
Nevada State PTA President
P.O. Box 42996
Las Vegas NV. 89116
March 19,1984

Dear Congressman:

[illegible]0,000 members of Nevada State PTA strongly demand the Reauthorization of the Juvenile Justice Delinquency Prevention Act, Senate Bill 2014, and H.B. 4971 and 4300.

We would encourage your support on this request. Nevada does not have a representative serving on these involved committees and would appreciate any support you can give us.

Sincerely,

Elmo Oxborrow

Elmo Oxborrow

Runaway and Homeless Youth

Whereas as the Nevada State PTA is a member of Western States Youth Services;

Whereas there has been an increase in the incidents of runaway youth nationally to a figure of 2 -2½ million, and

Whereas, there has been a proportional increase in the incidents of runaway and homeless youth in Nevada, and

Whereas, there is a lack of emergency shelters for runaway and homeless youth in the nation and Nevada, and
Whereas, the proposed funding by Congress through the Juvenile Justice Prevention Act, Title III, Runaway and Homeless Youth is inadequate and unacceptable, and

Whereas, the Nevada PTA is sensitive to the needs and supports the efforts of the Community, Runaway and Youth Services in Nevada, and the National Network of Runaway and Youth Services, there fore be it

Resolved, that Nevada having been identified as a non-discriminatory program is a geographic area of need for services for Runaway and Homeless Youth, the Nevada PTA strongly urges full funding at the authorization level for Title III, Runaway and Homeless Youth Act of the Juvenile Justice Prevention Act to the sum of $25 million or above and be it further

Resolved, that the Title III of the Runaway and Homeless Youth Act remain categorically funded program.

Submitted By

Health and Welfare Commission

NATIONAL COLLABORATION FOR YOUTH
An affinity group of The National Assembly of National Voluntary Health and Social Welfare Organizations, Inc.

1346 Connecticut Avenue, N.W. • Suite 424A • Washington, D.C. 20036 • (202) 296-1515

MEMBER ORGANIZATIONS
American Red Cross
Big Brothers/Big Sisters of America
Boy Scouts of America
Boys Clubs of America
Camp Fire, Inc.
The Congressional Award
Future Homemakers of America
Girl Scouts of the U.S.A.
Girls Clubs of America, Inc.
National Board, YWCA of the U.S.A.
The National Network of Runaway and Youth Services, Inc.
National Youth Work Alliance
United Neighborhood Centers of America, Inc.
YMCA of the U.S.A.

MAR 26 1984

March 22, 1984

The Honorable Ike F. Andrews
2201 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Andrews:

The National Collaboration for Youth member agencies listed below strongly support reauthorization of the Juvenile Justice and Delinquency Prevention Act, the Runaway and Homeless Youth Act, and the Missing Children's Assistance Act. The National Collaboration for Youth is comprised of 14 national private nonprofit agencies reaching over 25 million children and youth with programs and services designed to foster the development of each individual toward productive, fulfilling, and responsible adulthood.

For the past ten years, our respective organizations have actively supported a federal leadership role in juvenile justice, andan emphasis on the prevention of delinquency. Our many years of experience working with tens of millions of young people led to our priority concern for those youth involved in juvenile justice systems, and those whose environment and behavior made future involvement likely. Passage of the Juvenile Justice and Delinquency Prevention Act in 1974 largely had its roots in that widely shared concern.

Following passage of the Act, our organizations, and several others, joined together in 1975 as the National Juvenile Justice Program Collaboration to work for and with youth at risk. The first focus was on status offenders - those children and youth whose offenses, such as truancy or running away, would not be criminal if committed by adults. If these youth were no longer to be held in secure detention, in lockups, jails or training schools, where should they go? How could potential delinquents be diverted from the court system to begin with? For three years, 16 national organizations worked on answers to these questions trough identifying alternatives to institutionalization, and recognizing the need for collaborative efforts to provide adequate community-based services.

Local collaborative efforts began in five sites. Many others followed, bringing alternative programs, supportive services, and positive developmental experiences to youth in need. Each effort led to others through training and dissemination of program models. Throughout the past decade, local affiliates of Collaboration agencies have continued their work with such young people.

The National Collaboration for Youth has also continued to work with Congress and the Administration on reauthorization and amendments of the Act in 1977 and 1980, on its appropriations, and on its implementation. We have consistently encouraged the Congress to recognize the ongoing necessity of federal leadership in this area and have consistently urged the Executive Branch to implement the Act fully and in line with Congressional intent: to develop workable alternatives to the court system for noncriminal youth, to establish community services for runaways and other youth at risk, to remove juveniles from adult jails and to coordinate federal efforts in juvenile justice and delinquency prevention.

After ten years of effort, marked improvements are evident in many state and local practices; however, each year 479,000 juveniles are still incarcerated in adult jails, between 40,000 and 90,000 status offenders are confined in secure detention, and 50,000 to 100,000 children are abducted and missing, and 1.5 million children are runaways and/or homeless. Federal attention is essential to changing these tragic facts.

The need continues, at street corners and crossroads, in urban centers and rural counties. The services of our agencies continue, in cooperation with state agencies, units of local government, and other community groups, improving with further experience. Incentives and leadership at the federal level, as provide by the Juvenile Justice and Delinquency Prevention Act, must also continue.

The National Collaboration for Youth urges your support and is ready to work hard to insure the passage of this legislation.

Sincerely,

American Red Cross
Big Brothers/Big Sisters of America
Boy Scouts of America
Boys Clubs of America
Camp Fire, Inc.
Future Homemakers of America
Girl Scouts of the U.S.A.
Girls Clubs of America
National Board, YWCA of the U.S.A.
The National Network of Runaway and
Youth Services, Inc.
National Youth Work Alliance
YMCA of the U.S.A.

APR 5 - 1984

NATIONAL STEERING COMMITTEE
OF
STATE JUVENILE JUSTICE ADVISORY GROUPS

ANN LINDEN CARLISLE, CHAIRMAN
21 MAPLE LANE
CAPE ELIZABETH, MAINE 04107
207/799-7927

ALLEN BUTTON, VICE-CHAIRMAN
KENTUCKY — 502/564-6131

FARRELL [illegible], VICE-CHAIRMAN
NEW MEXICO — 505/247-0107

March 28, 1984

The Honorable Ike Andrews, Chairman
Subcommittee on Human Resources
U. S. House of Representatives
Washington, D. C. 20515

Dear Congressman Andrews:

On behalf of the National Steering Committee of State Juvenile Justice Advisory Groups, I would like to thank you for inviting me to testify before your Subcommittee on the reauthorization of the Juvenile Justice and Delinquency Prevention Act. The State Advisory Groups and others concerned about juvenile justice appreciate your continued strong support for improving the juvenile justice system, as evidenced by your introduction of H.R. 4971. Among other things, the SAGs strongly support continuation of the existing mandates and of the Formula Grant portion, both of which are addressed in H.R. 4971.

I enjoyed the opportunity to share with you and the members of your Subcommittee some of the accomplishments and concerns of the SAGs. The States believe the Juvenile Justice and Delinquency Prevention Act has enabled them to accomplish a great deal in terms of improving and providing services to juveniles. Juvenile delinquency rates are declining at a greater rate than can be explained by the decline in population among that age group. For example, in Florida, the fastest growing state in the country, the overall juvenile delinquency rate has dropped 10% in the last 10 years, while the adult crime rate has risen 30%. Fewer than 3% of all juvenile arrests are for violent offenses, and juveniles committed less than 20% of all major violent crimes. States believe that the Juvenile Justice Act has contributed to that decline.

In response to your comment about bond or bail for juveniles, I have gathered some information which may be helpful. Most states do not allow bond or bail for juveniles, and almost all states permit the detention of juveniles pending court action if the juvenile is deemed likely to commit a new offense, cause harm to himself or others or not to show up for a court hearing. Such criteria are extremely subjective and can, and often do, result in large numbers of juveniles being detained for "preventive" reasons. The Supreme Court is expected to hear arguments this term in the case of Schall vs. Martin, which is a class-action suit challenging New York state's criteria for preadjudication detention practices for juveniles.

As I indicated in my testimony, the states are concerned about both the nature of and the non-competitiveness of many of the grants currently being awarded by the Office of Juvenile Justice and Delinquency Prevention. Of particular concern are those grants proposing bio-medical research and the identification of potential chronic delinquents on the basis of physical characteristics. There is a major unanswered question in all these grants. Once these delinquents have been identified, what will be done with them? One grant has been awarded to develop "intervention strategies". What kind of intervention strategies are they talking about? It would be extremely informative if you could ask Mr. Regnery what he plans to do or thinks should be done once children have been pre-screened and pre-identified as being pre-delinquent.

I particularly enjoyed the opportunity to talk with you after the hearing and to be able to thank you in person for all you have done. If I can provide you with further information or if the SAGs can assist you in the reauthorization process in any way, please let me know.

Sincerely yours,

A. L. Carlisle

A. L. Carlisle, Chairman
National Steering Committee

CRIMINAL JUSTICE NEWSLETTER
VOLUME 14
NUMBER 21
OCT. 24, 1983
A PUBLICATION OF
THE NATIONAL COUNCIL
ON CRIME AND DELINQUENCY
A Bi-Weekly Report on Significant Developments For Leaders in Criminal Justice Administration

COURTS

"We know that some 460,000 youths are being held in detention centers and another 500,000 are held in adult jails [though there is some overlap]. If the Supreme Court goes along [with the plaintiffs], half of these youths, or more should be let go."

—Mark Soler
Youth Law Center (p. 2)

HIGH COURT TO HEAR CHALLENGE TO JUVENILE DETENTION PRACTICES

The Supreme Court is expected to hear arguments this term in the case of Schall vs. Martin, a class-action suit challenging New York state's criteria for pre-adjudication detention practices for juveniles. If the arguments of the plaintiffs are successful, the case could potentially force the release of up to 500,000 juveniles held in detention facilities and jails around the country and radically alter current juvenile detention practices.

The suit was initially filed by the New York Legal Aid Society on behalf of juvenile detainees held prior to adjudication in New York's Spofford Detention Center. It charged that the detention violated the constitutional rights of the plaintiffs on three grounds. First, the juvenile judges who ordered the detention had been trying to predict the future behavior of the detainees and had ordered their confinement on the basis of assumptions that they would be dangerous if released prior to adjudication. According to expert testimony presented at the trial, such prediction is impossible. Second, attorneys for the juveniles argued that because most of the detainees were released prior to or immediately following their detention hearings, they were not really viewed as dangerous. Finally, New York's detention practices were argued to be in specific violation of the plaintiffs' constitutional rights by punishing them before an adjudication of guilt.

After a U.S. District court agreed with these arguments and held for the plaintiffs, the case was appealed before the 2nd Circuit Court of Appeals. The higher court also held for the plaintiffs but on narrower grounds, focusing on the issue of detention as punishment before a finding of guilt, a violation of due process

According to Youth Law Center attorney Mark Soler, who prepared an amicus brief filed October 14 on behalf of the plaintiffs, a high court ruling against the Spofford Center could have far-reaching impact.

"We know that some 460,000 youths are being held in detention centers and another 500,000 are held in adult jails [though there is some overlap]," Soler said. "If the Supreme Court goes along [with the plaintiffs], half of these youths, or more, should be let go." A decision upholding the lower court rulings would indicate that "perhaps half of the kids [in detention around the country] are held illegally," Soler added.

Soler suggested that the practice of detaining many more juveniles prior to adjudication than are securely incarcerated after the hearing is common. He mentioned a suit in Salt Lake City where "90 percent [of the juvenile detainees] are released prior to adjudication or let go at the hearing."

Pending a positive ruling by the Supreme Court, it will "take lawsuits, statute changes, and legislative action" and therefore a great deal of time to actually remove juveniles found to be held in detention illegally, Soler said. A more general and immediate effect of such a ruling, however, might be to spark local jurisdictions to begin to seriously pursue the development of non-detention options. A decision could spark "major changes in community-based alternatives," Soler said.

The Supreme Court should begin hearing arguments in the case this winter, and a decision is expected by early summer.

—Gordon Bazemore

FILMED FROM
BEST COPY AVAILABLE

THE SCHALL CASE: IMPLICATIONS FOR STATE AND LOCAL GOVERNMENT

In a nutshell, the case involves the criteria used by the juvenile court to determine who gets detained and who gets released pending court action. Virtually all state statutes authorize the juvenile court to detain a juvenile pending court action if it appears that the juvenile is "likely to" commit a new offense or fail to appear at a scheduled hearing. Founded in the parens patriae doctrine which allows the court to utilize maximum discretion in the best interest of the juvenile, these highly subjective criteria have been subject to widely varied interpretation at the local level. Research and field experience indicates that detention is greatly influenced by the personal biases of the person making the detention decision. Subjective factors such as race, sex, religion, economic status, appearance, attitude, and family status are often the barometer of "dangerousness" and "reliability." A research study in Los Angeles, for instance, found that one intake worker would detain 90 percent of the juveniles in a sample, while another would detain only ten percent of the same juveniles, each utilizing the same vague, subjective detention criteria outlined in the state juvenile code. This problem is addressed in the NAC Standards for the Administration of Juvenile Justice and calls for specific and objective criteria based on offense, criminal history, and past failure to appear. The ABA Standards also call for the use of specific and objective criteria which can be weighed uniformly in most all cases.

Martin v. Schall is an important case in that the lower Court held that to use "risk to the public safety" as part of the criteria for making the juvenile detention decision is tantamount to preventive detention and unconstitutional. Most observers feel that the Supreme Court will tolerate neither the continued use of vague, subjective detention criteria as it exists in most state juvenile codes, nor will it uphold the lower Court decision which in essence establishes the same detention criteria which exists for adults. The former would continue the highly subjective and biased patchwork system which currently exists; the latter would require a system of bail which would create far more Constitutional problems than it solves. It appears that the Court will follow the pattern established by the NAC Standards which allows the continued use of "risk to the public safety" as long as the language of state juvenile codes and local operational procedures requires the use of specific and objective criteria to determine who is and who is not a risk to the public safety.

Research and field experience indicates (as suggested in the attached NAC Standards) that offense, criminal history, and past failure to appear are the best barometers available. Surveys in over 25 states indicate three consistent findings where specific and objective criteria are used.

— Admissions to detention are reduced by 50-70 percent.

— The rearrest rate does not increase.

- The failure to appear rate does not increase where closely supervised conditional release is used.

What are the potential ramifications of Martin v. Schall?

- Virtually all state juvenile codes will have to be changed. Most codes currently allow the subjective detention criteria which Martin v. Schall addresses.
- Intake and admissions procedures will need to be revised at the operational level to provide around-the-clock screening.
- There will be a great deal of initial concern at the state and local level about the effects of new criteria; particularly with respect to detention admissions, public safety, and the court process.
- Detention admissions will decline dramatically nationwide as revised state legislation is enacted, particularly among status and property offenders. The existing juvenile detention facility will be faced with a smaller and more serious population of juvenile offenders.
- An immediate need will arise for strict conditional release programs which combine 24-hour crisis intervention with close daily supervision of juveniles awaiting court action.
- Intense citizen advocacy and litigation pressure will be brought to bear on state and local officials involved with the operation, funding, administration, monitoring, or oversight of facilities which are used for the secure detention of juvenile offenders, including separate juvenile detention facilities, county jails, municipal lockups and, in some instances, state correctional facilities.

The National PTA
700 North Rush Street
Chicago Illinois 60611-2571
(312) 787-0977

Office of Governmental Relations
1201 16th Street N.W.
Washington, D.C. 20036
(202) 822-7878

March 30, 1984

Representative Ike Andrews
Chairman
Subcommittee on Human Resources
2178 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

The National Congress of Parents and Teachers (National PTA) requests that you consider adding language to H.R. 4971 that we believe would complement those provisions emphasizing the importance of the family and family members in delinquency prevention and rehabilitative efforts.

As recommended in our March 7, 1984 testimony before the Subcommittee, we urge that the Juvenile Justice and Delinquency Prevention Act be amended to reflect the valuable contribution that parents and those representing parents could make on the National Advisory Committee for Juvenile Justice and Delinquency Prevention and on state juvenile justice advisory groups. The National PTA believes membership on those committees should include parents who have or have had children in the juvenile justice system as well as representatives of parent organizations.

Should you desire clarification of our recommendations, your staff may contact Barbara Goldston-Hatfield of our Washington, D.C. office.

Thank you for this opportunity to express our views. We look forward to working with you toward successful passage of H.R. 4971.

Sincerely,

Manya S. Ungar

Manya S. Ungar
Vice President for
Legislative Activity

APR 24 1984

NATIONAL STEERING COMMITTEE
OF
STATE JUVENILE JUSTICE ADVISORY GROUPS

ANN LINDEN CARLISLE, CHAIRMAN
21 MAPLE LANE
CAPE ELIZABETH, MAINE 04107
207/799-7927

ALLEN BUTTON, VICE-CHAIRMAN
KENTUCKY — [illegible]

FARRELL LINES, VICE-CHAIRMAN
NEW MEXICO — [illegible]

April 13, 1984

The Honorable Ike Andrews, Chairman
Subcommittee on Human Resources
U. S. House of Representatives
Washington, D. C. 20515

Dear Congressman Andrews:

I assume by now that you have received a report from the National Advisory Committee for Juvenile Justice and Delinquency Prevention entitled Serious Juvenile Crime - A Redirected Federal Effort. While I have problems with many of the vague, sweeping comments contained in this report, there are three particular statements on which I would like to comment.

In Chairman Wilkinson's letter to the President and Members of Congress, he states the the NAC has "sought, received and carefully evaluated the views of the State Advisory Groups". Mr. Wilkinson, other members of the NAC or anyone else associated with the NAC have never contacted me about the views of the State Advisory Groups in regard to anything. Nor, to the best of my knowledge, have any other SAGs been contacted about their views. The State Advisory Groups never saw the report, or any draft thereof, before it was published, nor were the SAGs ever consulted about or asked to respond to its contents. In fact, at one of the National Advisory Committee meetings, which was attended by representatives of State Advisory Groups, the NAC members voted to keep the report, or draft of the report, confidential and would not give copies of it to the State Advisory Group representatives or to the other members of the public who were present. Consequently, it was impossible for anyone but the NAC to know what was being proposed. The report does not reflect the positions or views of the State Advisory Groups, who unanimously support reauthorization of the Act with its current focus.

Recommendation #1 states "any federal effort in the area of juvenile delinquency should focus primarily on the serious, violent or chronic offender". The SAGs unanimously support continuation of the current mandates of the Act--deinstitutionalization, separation and removal of juveniles from jails. We believe an effort to focus primarily on the serious, violent or chronic offender is far too narrow and leaves unserved the vast majority of juveniles in the juvenile justice system. The current Act allows states the flexibility to deal with the serious, violent and chronic offender according to each state's needs. Two years ago, the OJJDP reported that states were spending about 30% of their Formula Grant money on serious/violent offenders.

Recommendation #3 states that "The federal government should assist states, local governments, and private and public agencies in dealing with problems of delinquency, not impose its latest beliefs about best practice". The states do not consider that the federal government is imposing its latest beliefs on them. Participation in the Juvenile Justice and Delinquency Prevention Act is voluntary. If states believed the federal government was imposing its beliefs on them and if they did not agree with those beliefs, they could choose not to participate or to withdraw from participation. Currently, there are only four states which choose not to participate in the Act, and the number of states participating has grown, not decreased. Surely the states are in the best position to judge whether the mandates are acceptable to them or not.

I am enclosing a copy of the State Advisory Groups' positions on the reauthorization of the Juvenile Justice and Delinquency Prevention Act. As you will note, they are a strong endorsement of the Act as it currently exists.

If I can provide you with further information, please let me know.

Sincerely yours,

A. L. Carlisle

A. L. Carlisle, Chairman
National Steering Committee

cc: National Steering Committee

APR 23 1984

STATE OF ILLINOIS
Gordon Johnson
[illegible]
DIRECTOR

DEPARTMENT OF
CHILDREN AND FAMILY SERVICES

DIVISION OF YOUTH AND COMMUNITY SERVICES
100 SOUTH RIVERSIDE PLAZA, ROOM 1010
CHICAGO, ILLINOIS 60606

April 15, 1984

Honorable Ike Andrews
U.S. House of Representatives
2201 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Andrews:

When administrative responsibility for the Juvenile Justice and Delinquency Prevention Act program was transferred to the Illinois Department of Children and Family Services in 1982 , the Illinois Juvenile Justice Commission was appointed to serve as state advisory group and supervisory board for the program. As Vice-Chair of the Commission, I testified before the House Appropriation Subcommittee on Commerce, Justice and State, the Judiciary and Related Agencies on Wednesday.April 11th. In my testimony, I pointed out that Illinois had made good use of our Federal Juvenile Justice dollars, establishing a solid base of community-centered services which have improved the lives of Illinois' young people. I further noted that the Illinois Legislature has shown its concurrence with Congress' view in juvenile justice matters by enacting legislation deinstitutionalizing status offenders. As a result the number of status offenders held in secure detention was reduced from 11,000 in 1976 to less than 100 last year. My testimony also stated that Illinois, again following your lead, is now tackling the problem of removing juveniles from adult jails and establishing alternative programs to address their needs. A copy of "In the Forefront", a report prepared by Illinois Juvenile Justice staff describing the problem in detail is enclosed.

The passage of SB 1660 by the Illinois General Assembly this summer could be the final step in a cycle I have observed before during our states attempts to deinstitutionalize status and non-offenders. In that cycle, the federal government provides policy direction and seed dollar resources to support the development of alternative strategies. This federal challenge tends to ultimately result in states changing the ways in which they respond to their young people.

As one who is responsible for supervising Juvenile Justice funds, I am concerned that this federal/state/local partnership continue. Limited funding for the past three years has forced states to focus all their attention on jail removal. Although this is definitely a laudable goal, the Act as written, was intended to have a much broader scope. Therefore, I have testified that

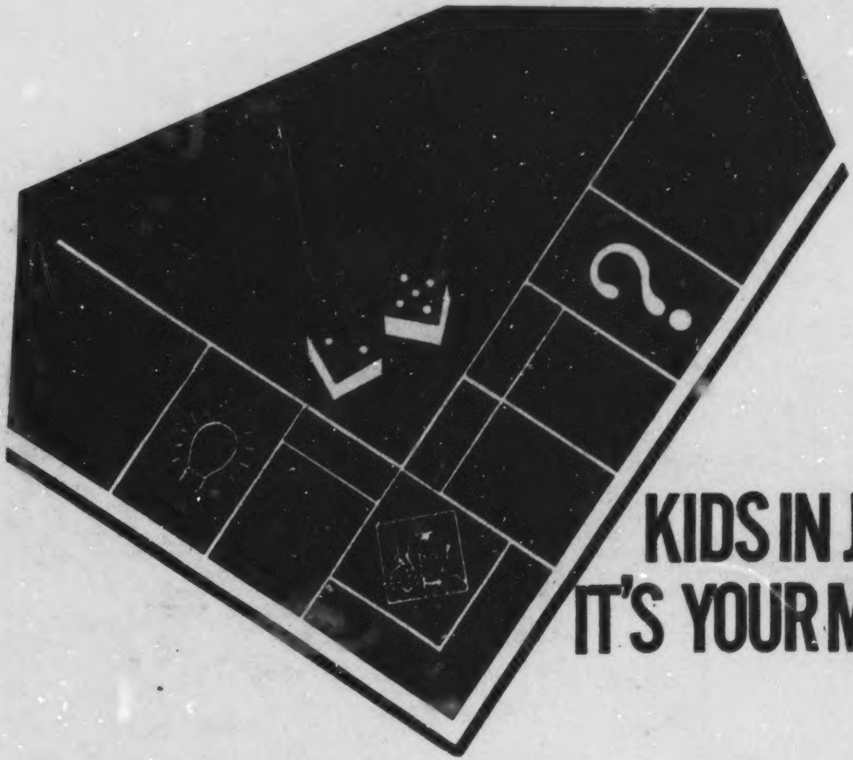
$100,000,000 is necessary for the 1985 appropriation so states can continue the valuable progress Congress envisioned when the Juvenile Justice Act was conceived. This would allow new programs to be developed to address other youth warranting intervention, such as young delinquents and teenage prostitutes. As I concluded in my testimony, without additional funding, juvenile justice is in danger of becoming a single - issue program which would be a great disservice to us all.

Sincerely,

Kathie V. Stansell

Kathie V. Stansell
Vice-Chair
Illinois Juvenile Justice Commission

KVS:gg



KIDS IN JAIL:
IT'S YOUR MOVE

FACT SHEET : THE JAILING OF ILLINOIS' JUVENILES

WHO IS JAILED [1]

- OVER 6,000 JUVENILES IN 1982
- ALMOST 2,000 WERE 14 OR YOUNGER
- 60% COMMITTED MINOR DELINQUENCIES
- 9% COMMITTED NO CRIME AT ALL
- 10% COMMITTED CRIMES AGAINST PERSONS

HOW LONG

- OVER 1,000 WERE HELD FROM 2 DAYS TO A MONTH
- OVER 100 WERE HELD WELL OVER 2 WEEKS

WHERE

- 98% WERE HELD IN 28 JAILS

UNDER WHAT CONDITIONS [2]

- FREQUENTLY IN ISOLATION
- 89% HAD NO STAFF TRAINED TO DEAL WITH YOUTH
- 32% WERE PARTY TO A PENDING LAWSUIT INVOLVING ADULTS:
  - PERSONAL INJURY
  - RAPE
  - VIOLATION OF STATE SANITARY CONDITIONS
  - DENIAL OF MEDICAL TREATMENT
  - BRUTALITY

WHAT RESPONSE IS NEEDED

- ONLY 10%-15% REQUIRE SECURE OPTIONS IN ORDER TO PROTECT THE COMMUNITY AND ASSURE THEIR APPEARANCE IN COURT
- 85%-90% COULD BE SERVED IN THE COMMUNITY IN PROGRAMS WHERE THEY ARE CLOSELY MONITORED AND HELD ACCOUNTABLE

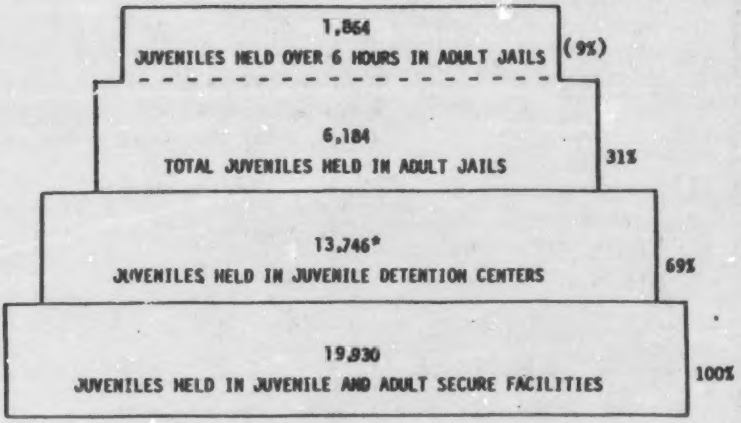
---

[1] Source: Juvenile Monitoring Information System

[2] Source: 1983 DCFS Survey of 28 County Jails

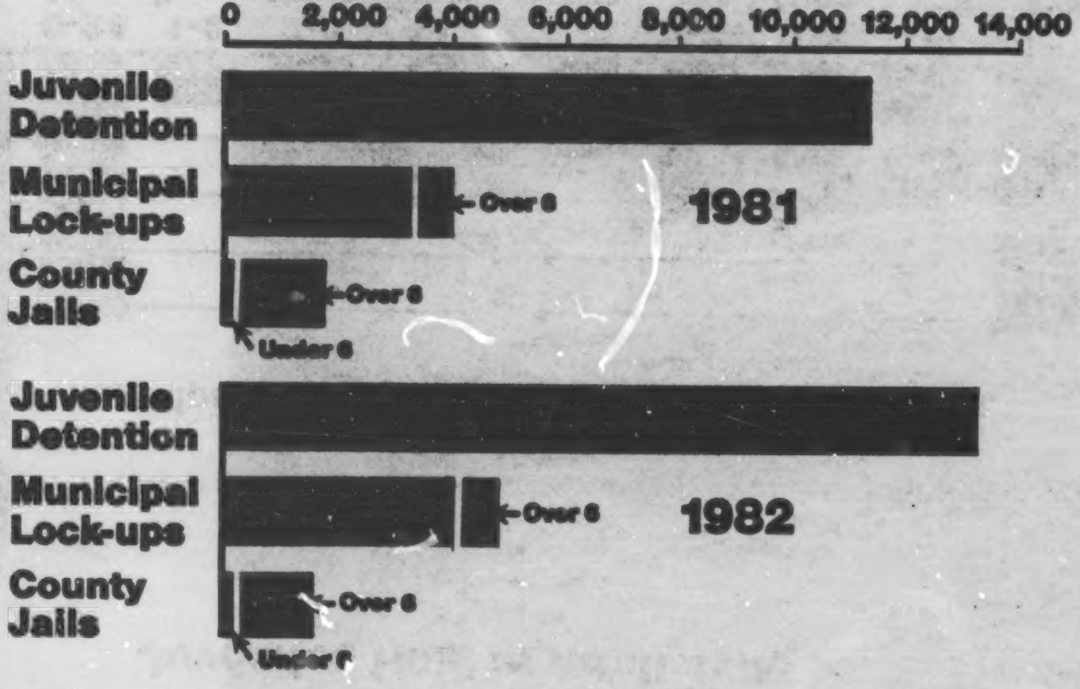
JUVENILES HELD IN SECURE FACILITIES

1982

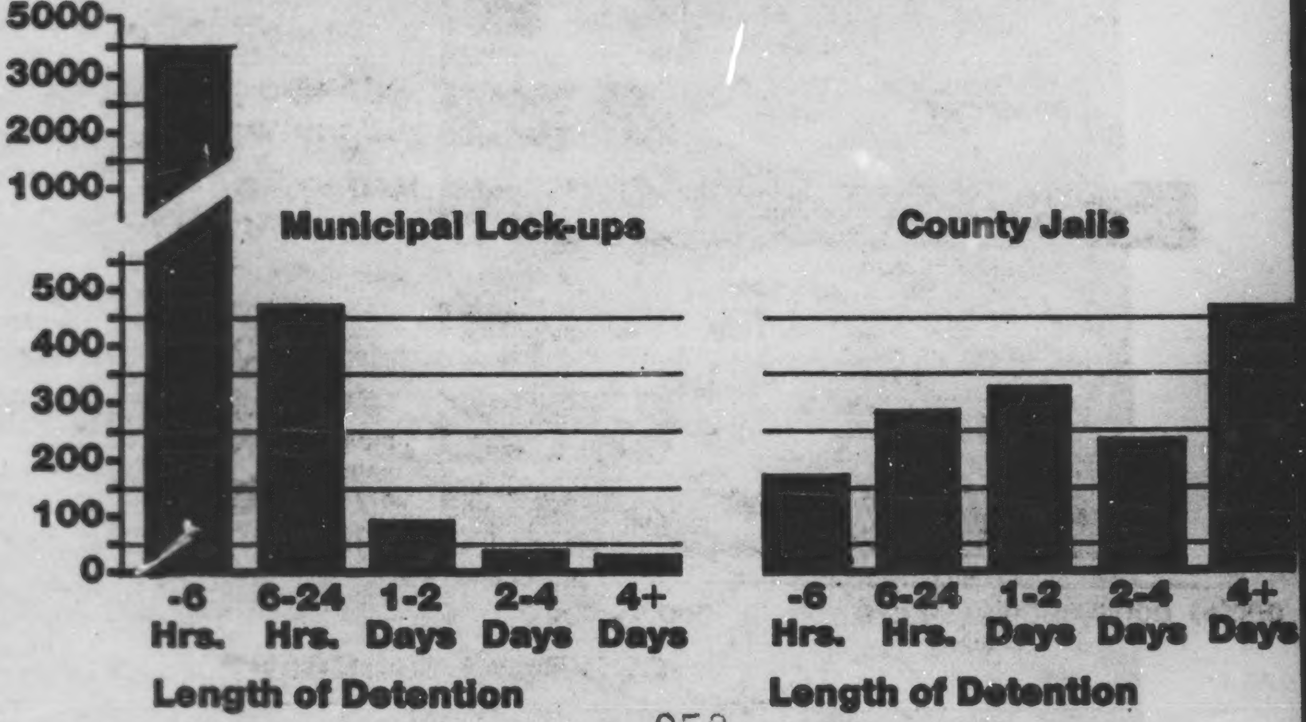


* 9381 (68%) of these are held in Cook County Juvenile Temporary Detention Centers (Audy Home).

Juveniles Detained



Juveniles Held in Adult Jails



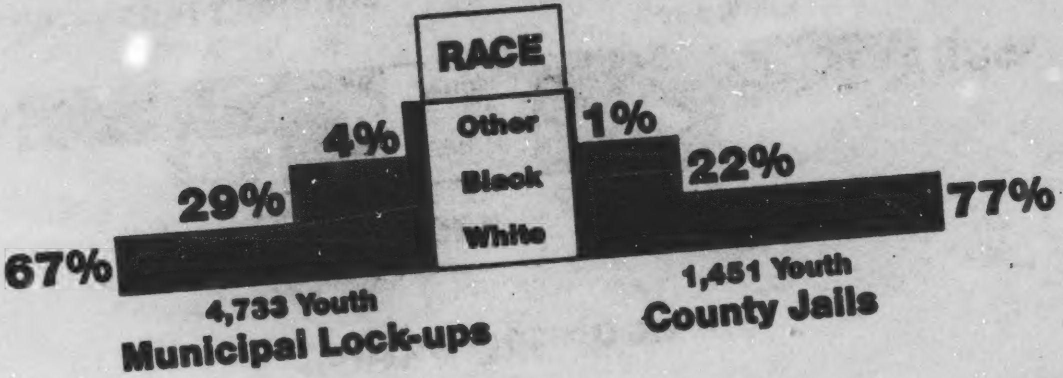
Municipal Lock-ups

County Jails

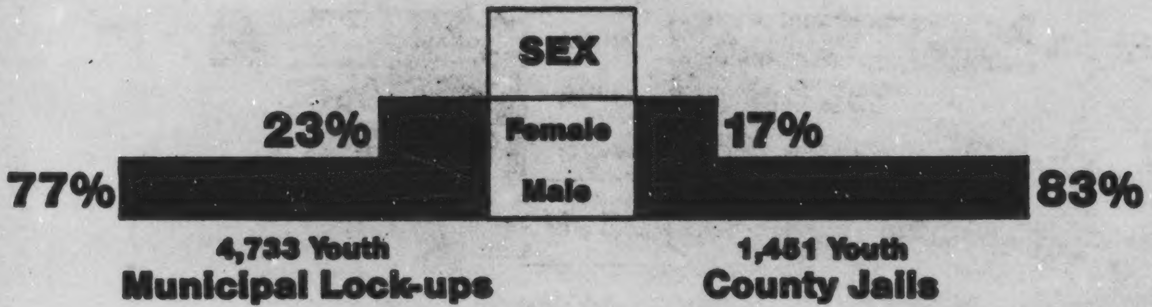
Length of Detention

Length of Detention

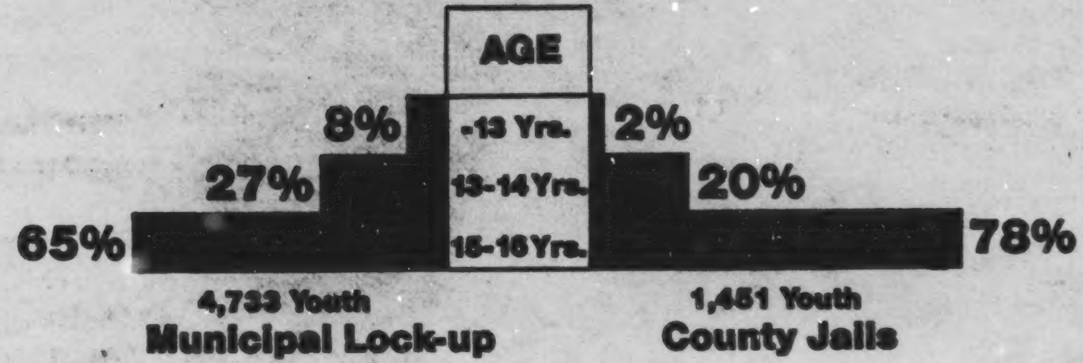
Youths Detained



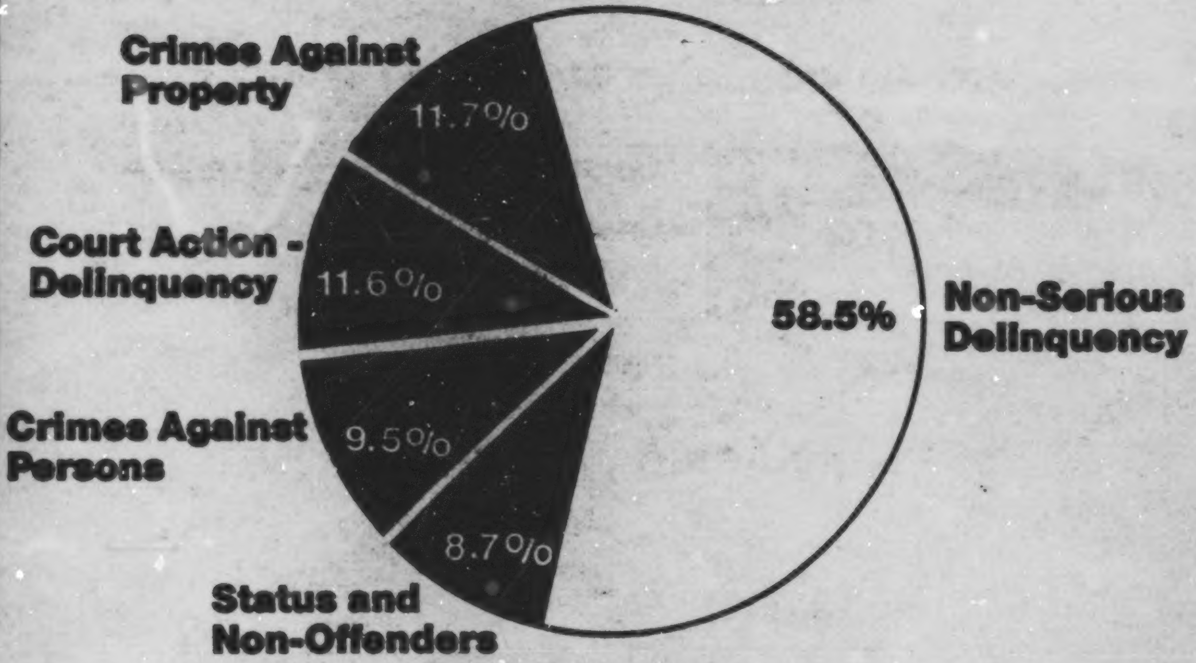
Youths Detained



Youths Detained



Offense Categories
1982



COUNTY JAIL SURVEY

Results from 28 County Jails that Held 96% of Illinois' Juveniles in 1982

- 2 over 140 years old (30 years before the start of the Civil War)
- 2 over 80 years old
- 2 over 50 years old
- 89% had no staff that were trained to deal with juveniles
- 82% had no educational program
- 43% had no social services
- 32% were party in a pending lawsuit (brought by an adult inmate)

SUBJECTS OF SUITS:

- Lack of medical treatment and brutality
- Brutality
- Violation of state sanitary conditions
- Rape
- Personal injury (2)

THE COMMITTEE ON JUVENILE JUSTICE
THE STATE BAR OF CALIFORNIA

555 FRANKLIN STREET
SAN FRANCISCO, CA 94102-4498
(415) 561-8200

April 17, 1984

Re: Reauthorization of the Juvenile Justice and Delinquency Prevention Act - H.R. 4971 (Andrews)

Dear Congressman:

The Committee on Juvenile Justice of the State Bar of California, whose membership includes prosecution and defense counsel, as well as academic and government attorneys who specialize in the area of juvenile law, have been advised that the Juvenile Justice and Delinquency Prevention (JJDP) Act will terminate on September 30, 1984.

On behalf of the Committee, I would urge your support for H.R.4971 to reauthorize the Juvenile Justice and Delinquency Prevention Act. The Committee believes that it is vital that leadership at the national level recognize and support local efforts in dealing with delinquency prevention and improving juvenile justice. The JJDP Act has been a valuable foundation for California in providing care and treatment services for juveniles and thus, our continued support is necessary to further accomplish the goals of the program.

The views expressed herein are on behalf of the Committee, rather than the State Bar of California as a whole, as the Bar's Board of Governors has not reviewed, nor taken a position regarding H.R. 4971.

Sincerely,

Marc S. Rothenberg

MARC S. ROTHENBERG,
Chair

MSR/hlm

cc: Congressman Ike Andrews ✓
California Congressional Delegation

APR 24 1984

CHRISTOPHER S. BOND
Governor

EDWARD D. DANIEL
Director

LYNN LYSS
Chairman

STATE ADVISORY GROUP
ON
JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Department of Public Safety
P.O. Box 749
Jefferson City, Missouri 65102-0749
Telephone 314-751-4905

April 20, 1984

The Honorable Ike Andrews
United States House of Representatives
2201 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Andrews:

The Midwest State Advisory Group Coalition, of which I am Chairperson, would like to express their appreciation for your introduction of legislation reauthorizing the JJDP Act. The topic of Reauthorization of the Juvenile Justice and Delinquency Prevention Act was a topic at our March 27, 1984 Midwest Coalition meeting. I would like to share with you the comments of our membership.

First, the Midwest Coalition feels very strongly that the emphasis of the JJDP Act should remain the same. Although a great deal of progress has been made, a great deal of work remains to be done in the areas of deinstitutionalizing status offenders, removing juveniles from adult jails, and developing effective juvenile delinquency prevention programs.

Secondly, the Midwest Coalition wanted to reiterate endorsements made at earlier meetings. Those endorsements included:

> Reauthorization of the Juvenile Justice and Delinquency Prevention Act in 1984. (11/82)
>
> Reauthorization of the Act at a $200-million funding level. (11/82)
>
> Maintenance of the Formula Grants Program. (11/82)
>
> Maintenance of the Office of Juvenile Justice and Delinquency Prevention as a separate, independent arm under the Department of Justice. (11/82)
>
> A five-year Reauthorization Period for the Act. (06/83)
>
> Maintenance of the current emphasis on delinquency prevention in the Act. (06/83)
>
> The philosophy of the Act as it relates to the mandate to remove juveniles from adult jails and lockups. (06/83)

As you can see, the endorsements of the Midwest State Advisory Groups Coalition closely correspond with the provisions contained in your bill.

Again, thank you for your support of the JJDP Act program. If I, or the Midwest Coalition, can be of assistance to you please advise.

Very truly yours,

Lynn Lyss

Lynn Lyss, Chairperson
Midwest Coalition

LL/PS:cml

APR 30 1984

NORTHEAST COALITION
OF
STATE JUVENILE JUSTICE ADVISORY GROUPS

CONNECTICUT
MAINE
MASSACHUSETTS
NEW HAMPSHIRE
NEW JERSEY
NEW YORK
PENNSYLVANIA
RHODE ISLAND
VERMONT
DELAWARE

April 23, 1984

The Honorable Ike Andrews, Chairman
Subcommittee on Human Resources
U. S. House of Representatives
Washington, D. C. 20515

Dear Congressman Andrews:

The Northeast Coalition of State Juvenile Justice Advisory Groups appreciates your recognition of the essential role that State Advisory Groups play in the implementation of the Juvenile Justice and Delinquency Prevention Act, as evidenced by your action in the markup of H.R. 4971. The Coalition believes that a national group, properly constituted, can play an important role in advising the President, the Congress and the Office of Juvenile Justice and Delinquency Prevention. Such a national group or committee would require some resources and the capability of meeting more frequently than every other year in order to properly fulfill the function of advising the President and the Congress. Such a group should work closely with all those involved in juvenile justice to ensure that all perspectives are considered before developing its recommendations.

The State Advisory Groups are willing to assist in whatever way possible to ensure that the views of the states are considered and included in advice to the President, the Congress and the OJJDP.

If I can provide you with further information, please let me know.

Sincerely yours,

A L Carlisle

A. L. Carlisle, Chairman
Northeast Coalition

MINNESOTA JUVENILE JUSTICE ADVISORY COMMITTEE
DEPARTMENT OF ENERGY, PLANNING AND DEVELOPMENT
[illegible] CEDAR
SAINT PAUL, MINNESOTA 55101

TELEPHONE
(612) 296-3133

MAY 21 1984

May 11, 1984

The Honorable Ike Andrews
United States House of Representatives
2201 Rayburn Office Building
Washington, DC 20515

Dear Representative Andrews:

The Minnesota Juvenile Justice Advisory Committee, of which I am the Vice-Chair, would like to express their appreciation for your introduction of H.R. 4971, reauthorizing the JJDP Act. Our committee, which is the supervisory board for Minnesota under the JJDP Act, believes the emphasis of the Act should remain the same, since a great deal of work still remains to be done in the areas of deinstitutionalizing status offenders, removing juveniles from adult jails, and developing effective juvenile delinquency prevention programs.

Also, we wanted to reiterate endorsements that we and the Midwest State Advisory Group Coalition have made previously. Those endorsements were:

1. Reauthorization of the Juvenile Justice and Delinquency Prevention Act in 1984. (11/82)

2. Reauthorization of the Act at a $200 million funding level. (11/12)

3. Maintenance of the Formula Grants Program. (11/82)

4. Maintenance of the Office of Juvenile Justice and Delinquency Prevention as a separate, independent arm under the Department of Justice. (11/12)

5. A five year reauthorization period for the Act. (06/83)

6. Maintenance of the current emphasis on delinquency prevention in the Act. (06/83)

7. The philosophy of the Act as it relates to the mandate to remove juveniles from adult jails and lockups. (06/83)

As you can see, the endorsements of the Minnesota Juvenile Justice Advisory Committee and the Midwest State Advisory Group Coalition correspond closely with the provisions contained in your bill.

Again, thank you for your support of the JJDP Act program. If I or the Minnesota Juvenile Justice Advisory Committee can be of assistance to you, please advise.

Sincerely,

Richard Gardell

Richard Gardell, Vice-Chair
Minnesota Juvenile Justice Advisory Committee

RG/pb

The National PTA
700 North Rush Street
Chicago Illinois 60611-2571
(312) 787-0977

Office of Governmental Relations
1201 16th Street N.W.
Washington, D.C. 20036
(202) 822-7878

MAY 29 1984

May 24, 1984

The Honorable Ike Andrews
U.S. House of Representatives
2201 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Andrews:

In behalf of the 5.4 million members of the National Congress of Parents and Teachers (National PTA), we wish to express our appreciation for your continuing support of federal legislation to protect our nation's young people.

Specifically, we commend you for your sponsorship of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, H.R. 4971. This measure reflects the strong federal commitment to improving juvenile justice and delinquency prevention programs long advocated by our association. It provides vital support for programs to safeguard runaway, throwaway and homeless youth. It will assist parents, concerned community groups and law enforcement officials in ameliorating the tragic problem of missing children.

We also wish to thank you for the opportunity afforded National PTA to formally present our views in support of reauthorization of the Juvenile Justice and Delinquency Prevention Act, and for your recognition of the important role of family members and parent groups in preventing juvenile delinquency and in enhancing state and local efforts to better serve youth.

Your leadership has been vital to maintaining the federal commitment to juvenile justice. We believe that H.R. 4971 deserves the strong support of every Member of Congress who is concerned about the safety and well-being of our nation's young people.

Sincerely,

Elaine Stienkemeyer

Elaine Stienkemeyer,
President

Manya S. Ungar

Manya S. Ungar,
Vice President for
Legislative Activity

cc: Mrs. Gwin Hughes, North Carolina State PTA President
Mrs. Toni Fink, North Carolina PTA Legislative Chairman

bcc: Gordon Raley

JUN 1 - 1984

STATE OF ILLINOIS
GORDON JOHNSON
DIRECTOR

DEPARTMENT OF
CHILDREN AND FAMILY SERVICES
ONE NORTH OLD STATE CAPITOL PLAZA
SPRINGFIELD, ILLINOIS 62706

May 25, 1984

The Honorable Ike Andrews
United States House of Representatives
2201 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Andrews:

The Illinois Department of Children and Family Services assumed responsibility for the administration of the Juvenile Justice and Delinquency Prevention Act in the fall of 1982. As Director of that Department, it has come to my attention that Congress this year will be taking action on several bills which will greatly impact our State's ability to adequately address the needs of our young people, many of which are reiterated by current federal legislation.

I understand that Congress is presently considering justice assistance legislation (HR2175 and S1762) which proposes to establish a block grant program for financial and technical assistance to state and local governments for specified programs of proven effectiveness. Draft guidelines, which are being developed to address this program if and when the legislation is enacted, have been sent to me for comments. A few of the programs which are being cited in the proposed guidelines as "proven effective" address juveniles. However unlike the former Law Enforcement Assistance Act (LEAA) and the subsequently proposed Justice System Improvement Act, the new bills do not require that a certain percentage of these funds address the needs of juveniles. There is, therefore, no assurance that any of these programs would be funded. This apparent low priority for juvenile justice programs concerns me.

In addition to this proposed justice assistance program, Congress will also be considering the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA) this year. As in past years, the Administration is recommending that the JJDPA not be reauthorized. Alfred Regnery, Administrator of the OJJDP, has testified to both House and Senate Subcommittees that he is specifically opposed to Title II of the Act. Title II is the state formula grant section of the Act through which Illinois receives $2 million plus dollars each year. Mr. Regnery has also stated that the new justice assistance legislation would fund those state juvenile justice programs which had "proven" successful. Other successful programs previously funded with JJDPA funds could be picked up by the state or local government, according to Mr. Regnery.

Many proponents of the JJDPA fear the Administration intends to fund the new justice assistance program using funds which would have been allocated for the JJDPA. Fortunately, historically bipartisan Congressional support for the Juvenile Justice program has always been strong so I feel confident that this would not happen. However, it is important that I communicate to you the impact such a decision would have on Illinois. To assume, as Mr. Regnery would have us, that the funding of a justice assistance bill instead of the JJDPA can just as effectively address the State's juvenile justice needs is naïve. Such a move would completely undermine Illinois' initiative to remove juveniles from adult jails--an initiative which includes important State legislation as well as a major programming effort that is being undertaken by my Department.

The Thompson Administration supports both laws. The Juvenile Justice and Delinquency Prevention Act has been extremely effective in Illinois, enabling state government to work with local governments and private providers to resolve the problems of our young people and assure that only youths who require formal intervention are returned to the child welfare and juvenile justice systems. However, the $2 million dollars Illinois has annually received since 1982 can only provide for a bare-bones, single program effort.

Between 1978 and 1981 Illinois received $3 million annually in JJDPA funding as well as an additional $3 million from LEAA (19.15% of State LEAA funds) to address the needs of our troubled youth. With this annual amount the State was able to address many of the juvenile justice needs which have been so well delineated in the Juvenile Justice and Delinquency Prevention Act. Reauthorization of the Juvenile Justice and Delinquency Prevention Act with an annual appropriation of $75 million plus passage of a justice assistance bill which includes a provision that 20% of these dollars be directed to programs for juveniles would again allow Illinois to address the needs of our young people and assure the continued upgrading of our juvenile justice systems.

Please do not hesitate to contact me if I may provide you with additional information on the juvenile justice program in Illinois or if I may be of further assistance to you.

Thank you.

Sincerely,

Gordon Johnson

cc: Mr. Gordon Raley

GJ/cs

JUN 1 1984

Commission on Youth

A Coalition of
Community Youth Advocates

50 West 3900 South, Suite 2-A
Salt Lake City, Utah 84107
Phone 535-5018

M. Tom Shimizu
Commissioner

Executive Committee:
Wendy Ruppel, Chair
Lynn Samsel, Vice-Chair
Lowell Bennion
Jim Farner

May 25, 1984

Honorable Representative Dan Marriott
United States House of Representatives
Washington, D.C. 20515

Dear Representative Marriott:

At the Salt Lake County Commission on Youth meeting held on May 22, 1984, a motion was passed unanimously to support H.R. 4971 and its companion bill in the Senate S. 2014. We consider this Missing Children Act to be a most important piece of legislation and encourage your active support of it.

We understand that H.R. 4971 has been voted out favorably of the Education and Labor Committee and we respectfully request your support of it without any further amendments. Additionally, we would request your support in seeing that this important bill is not attached to the proposed Justice Assistance Act since that would delay its passage.

We appreciate your concern for and support of the children and youth of our state.

Sincerely,

Wendy Ruppel

Wendy Ruppel, Chair
Salt Lake County Commission on Youth

WR/JRW/jf

cc: Rep. Paul Simon (D-Ill.)
✓Rep. Ike Andrews (D-NC.)

MAY 29 1984

CALIFORNIA PEACE OFFICERS' ASSOCIATION
CALIFORNIA POLICE CHIEFS' ASSOCIATION
CALIFORNIA STATE SHERIFFS' ASSOCIATION
2012 H STREET, SUITE 102 • SACRAMENTO, CALIFORNIA 95814 • PHONE (916) 446-7847

Legislative Oversight Committee

May 25, 1984

Congressman Ike Andrews
Committee on Human Resources
Rayburn House Office Building
Room 2178
Washington, D.C. 20515

Dear Congressman Andrews:

The above indicated associations strongly support the Federal Juvenile Justice and Delinquency Prevention Act. The program has given uniform national direction and support for states to combat youth crimes.

The Act will expire on September 30, 1984. H.R. 4971, Andrews, would re-authorize the Juvenile Justice and Delinquency Prevention Act with important improvements.

Reauthorization of the JJDP Act is of great importance to California. Since FY 1982, California's allocation has been approximately $4 million annually. Although the amount is small compared to the total expended in the state for criminal justice, it is critical in terms of the message it conveys and in supplementing local funding for services and treatment to juveniles. The funding has allowed private agencies to demonstrate their value in the juvenile justice system complementing public agencies to provide a full range of servide and treatment needs for juveniles. The impact of these projects results in a greater balance of appropriate services assisting in alleviating already crowded public juvenile facilities and huge caseloads carried by probation personnel.

We request your support of H.R. 4971.

Sincerely,

Alva S. Cooper

Alva S. Cooper
Legislative Advocate

AC:pk

CC: Dr. Michael W. Agopian

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

SEP 26 1983

1922

The Honorable Thomas P. O'Neill, Jr.
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Section 315 of the Runaway and Homeless Youth Act, 42 U.S.C. Sec. 5715, requires the Department of Health and Human Services to report annually to the Congress regarding the status and accomplishments of the Runaway and Homeless Youth Program. The enclosed Annual Report documents Departmental activities during Fiscal Year 1982.

This report provides a comprehensive account of the history and progress of the programs funded under the Runaway and Homeless Youth Act. It also describes Federal collaborative activities undertaken in the spirit of the Act.

I am pleased to submit to the Congress the Fiscal Year 1982 Annual Report on the Runaway and Homeless Youth Act.

Sincerely,

Margaret M. Heckler

Margaret M. Heckler
Secretary

Enclosure

FY 1982 ANNUAL REPORT TO THE CONGRESS ON THE STATUS AND ACCOMPLISHMENTS OF THE CENTERS FUNDED UNDER THE RUNAWAY AND HOMELESS YOUTH ACT

Title III of the Juvenile Justice and
Delinquency Prevention Act of 1974
(P.L. 93-415), as amended by
the Juvenile Justice Amendments
of 1977 (P.L. 95-115) and the
Juvenile Justice Amendments
of 1980 (P.L. 96-509)

Submitted By:

The U.S. Department of Health and Human Services
Office of Human Development Services
Administration for Children, Youth and Families
Youth Development Bureau

EXECUTIVE SUMMARY

The Department of Health and Human Services (DHHS) prepared this Annual Report to the Congress in response to a requirement in Section 315 of the Runaway and Homeless Youth Act (Title III of P.L. 93-415, as amended (42 U.S.C. Sec. 5715)). It covers the fiscal year that began on October 1, 1981 and ended on September 30, 1982.

This report documents the status and accomplishments of the centers for runaway and homeless youth that the Department funded in FY 1982 under the provisions of Section 311 of the legislation. It updates the status, operation, and accomplishments of the National Communications System mandated by the 1980 Amendments to the Runaway and Homeless Youth Act, as well as the coordinated networks of centers supported by DHHS in FY 1982. This report describes the research, demonstration, evaluation, short-term training, and technical assistance activities that support and augment the Runaway and Homeless Youth Program. The Department's participation on the Coordinating Council on Juvenile Justice and Delinquency Prevention, the National Institute of Corrections, and the National Advisory Committee on Juvenile Justice and Delinquency Prevention is described in detail.

Based upon a seven month study during FY 1982 of a sample of centers funded under the Runaway and Homeless Youth Act, the General Accounting Office reported to the Subcommittee on Human Resources of the United States House of Representatives Committee on Education and Labor, on the Department's implementation of the Runaway and Homeless Youth Act. The General Accounting Office found that these centers were in compliance with the intent of the Congress and were addressing important community service needs. In its evaluation of 20 centers supported under the Runaway Youth Act, conducted 1977-1979, Berkeley Planning Associates of California provided additional documentation that the runaway youth program was meeting the objectives of the program established by the Congress. In February 1982, Berkeley Planning Associates completed an intensive secondary analysis of client and service data that the centers collected and transmitted to the Department. This analysis indicated that the centers served over 113,000 youth on a housed or non-housed basis between 1977 and 1980.

These major events and other Departmental activities affecting the status and accomplishments of the DHHS-funded centers for runaway and homeless youth during Fiscal Year 1982 are summarized as follows:

- The program awarded grants to 166 centers for runaway and homeless youth. It allocated $10.2 million to DHHS Regional Offices for the support of centers in 50 States, the District of Columbia and Puerto Rico. Approximately 44,000 youth received ongoing services while 133,000 received one-time counseling or referral services.

- The program supported the National Communications System in the amount of $300,000. This system, which includes the National Runaway Switchboard, provided referral and crisis intervention services to approximately 200,000 runaway and homeless youth, and their families during FY 1982.

- The program continued to provide technical assistance and training support to runaway and homeless youth centers. It sponsored, in cooperation with the National Conference of State Legislatures and the University of Michigan's School of Social Work, a National Institute for Youth Services in August 1982, which provided intensive skills training in program development to administrators and key staff of runaway and homeless youth centers.

- The program intensified the recruitment, training and use of volunteers at the centers for runaway and homeless youth, the coordinated networks of runaway and homeless youth centers, and the National Communications System.

- The Office of Human Development Services awarded discretionary grants in September 1982 that relate to and support the Runaway and Homeless Youth Program. The awards included grants, supported under Section 426 of the Social Security Act, for ten Regional Resource Centers for Children and Youth.

- The program hosted two regular meetings of the Coordinating Council on Juvenile Justice and Delinquency Prevention. It also sponsored three days of public hearings on proposed Council activities for 1982, 1983 and 1984, in cooperation with the Department of Justice and other council member agencies. Testimony was received from leading national, State, local government and private sector organizations and officials.

- The program supported and participated in a cooperative agreement between DHHS and the National Conference of State Legislatures to further develop the decision-making capabilities of State legislative bodies in the area of youth services.

- The program completed a manual in July 1982 for the assessment of youth outreach, aftercare and training services in cooperation with the Ohio Youth Services Network. The manual, titled "Aspects of Shelter Care," resulted from a two year research and demonstration project funded by DHHS.

- The program negotiated an interagency agreement with ACTION, which focused on the use of volunteers in programs for runaway and homeless youth. The program also worked closely with the National Collaboration for Youth, the National Youth Work Alliance, the National Network for Runaway and Youth Services, and other youth serving organizations.

- The program continued providing financial and technical assistance to eight coordinated networks of centers for runaway and homeless youth, as authorized by Section 311 of the legislation, to more effectively coordinate Federal, State, and local government programs for runaway and homeless youth, and their families.

- The program conducted research, demonstration and evaluation activities that increased the expertise of the centers to better serve runaway and homeless youth, and their families.

- The program verified that DHHS-funded centers continued to successfully access other public and private sector funding sources for program support and reduce their dependence on Federal financial assistance. Appendix A identifies the types of public and private sector funding sources which were utilized by these centers.

- The program participated in the planning of two national forums on juvenile justice and youth services convened by the Advisory Commission on Intergovernmental Relations (ACIR) and the Department of Justice.

- The program reviewed the Program Performance Standards, developed in 1977 for the purpose of assessing the program operations of centers for runaway and homeless youth. The Office of Management and Budget has approved the use of the Standards until July 1984.

- The program participated in national, regional, State, local, and private sector conferences, forums and seminars convened to address current issues and needs in the area of youth services. Included were the National Youth Workers Conference, the National Network Symposium on Runaway Youth, the Annual Meeting of the National Conference of State Legislatures, and the Annual Conference of the National Association of Detention Home Administrators.

SECTION I

INTRODUCTION

Authority for the Annual Report

The original Runaway Youth Act of 1974 and the 1977 and 1980 amendments contain a provision in Section 315 that requires the Secretary of Health and Human Services to submit to the Congress an Annual Report on the status and accomplishments of the centers funded under the requirements of Section 311 of the statute. Information and data presented in this Annual Report are based upon activities conducted under the Runaway and Homeless Youth Act during the period October 1, 1981 to September 30, 1982.

Organization of the Annual Report

This Annual Report is organized into four sections. Section I, the Introduction, provides an overview, legislative background and general information regarding the extent and nature of the problem of runaway and homeless youth in the nation. Section II describes the Department of Health and Human Services' Runaway and Homeless Youth Program and provides details regarding the number of centers funded during Fiscal Year 1982, their locations, budget levels, funding criteria, State dollar allocations, and other information. Section II also includes a discussion of the Department's coordinated network initiatives, the cooperative agreement with the National Conference of State Legislatures, the National Communications System, technical assistance and training activities, volunteer initiatives, and the status of the Runaway Youth Program Performance Standards relating to program operations.

Section III describes and discusses the Department's related research, demonstration and evaluation activities that support the Runaway and Homeless Youth Program, including updated client and service profiles, and the types and nature of discretionary research and demonstration grants awarded in Fiscal Year 1982.

Section IV outlines the Department's activities during Fiscal Year 1982 in support of the Coordinating Council on Juvenile Justice and Delinquency Prevention, the National Advisory Committee on Juvenile Justice and Delinquency Prevention, the National Institute of Corrections, and other interagency task forces and committees that deal with youth and juvenile justice programs and issues. Special initiatives that the Department has undertaken with other Federal agencies, including ACTION and the Departments of Justice and Education, are described. This section also covers the Department's activities with private sector agencies and organizations including the National Network for Runaway and Youth Services, the National Youth Work Alliance, the National Collaboration for Youth, the Boys Clubs of America and United Neighborhood Centers.

The Appendix includes a listing of all runaway and homeless youth grantees during FY 1982. The Appendix also provides a comprehensive listing of all sources of financial support for the centers, including public as well as private sector support.

Legislative History and Background

The first Federal legislation which focused on the problem of runaway youth was enacted on September 7, 1974, and was designated as Title III of the Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-415). Title III was subtitled the Runaway Youth Act. The Congress and the President thus responded to the rising concern over the numbers of youth who were leaving home without parental permission, crossing State lines, and who, while on the run, were exposed to exploitation and other dangers. The Runaway Youth Act authorized the Secretary of Health, Education and Welfare (HEW) to make grants for the development of new or the support of existing centers to alleviate the immediate needs of runaway youth in a manner outside the law enforcement structure and the juvenile justice systems.

On October 3, 1977, the Congress amended and extended the Runaway Youth Act by enacting the Juvenile Justice Amendments of 1977, and added "otherwise homeless youth" to the categories of eligible recipients of services and coordinated networks of centers providing services to runaway and homeless youth. The size of the grants to which the Department could give priority was raised from those less than $75,000 to those less than $100,000. The applicant program budget level for which the Department could give funding priority was raised from $100,000 to $150,000. The 1977 amendments also made State agencies eligible for grants and included a provision that personnel employed by the funded centers receive short-term training. The title of the legislation was left unchanged as the Runaway Youth Act.

The Runaway Youth Act was amended for the second time on December 8, 1980, upon Congressional enactment of the Juvenile Justice Amendments of 1980. The amendments changed the short title of the Act to the Runaway and Homeless Youth Act, (P.L. 96-509). Another major change in the legislation stipulated that grants be made "equitably among the States based upon their respective populations of youth under 18 years of age." This represented a major policy change and altered the formula for allocating funds based not only on the youth population in the States, but also on the reported number of FBI arrests for runaways in the nation and on the number of Standard Metropolitan Statistical Areas (SMSA) in the ten DHHS Regions. The 1980 amendments also authorized the Secretary to fund a National Communications System; to award supplemental grants to runaway and homeless youth centers for the development of model programs for habitual runaway youth; and to provide on-the-job training to personnel in the centers or to coordinated networks of local law enforcement, social service, and welfare personnel to assist such personnel in recognizing and providing for learning disabled and other handicapped juveniles.

The Nature and Scope of the National Problem of Runaway and Homeless Youth

The Department of Health and Human Services estimates that the number of runaway youth in the nation ranges from 733,000 to 1.3 million. This estimate is based on the 1975 National Statistical Survey of Runaway Youth authorized by the Congress under a provision of Part B of the original Runaway Youth Act (P.L. 93-415), as well as on information provided by center personnel and others working with runaway youth. In its regulations (45 CFR 1351), DHHS defines a runaway youth as a "person under 18 years of age who absents himself or herself from home or a place of legal residence without the permission of parents or legal guardian."

Only approximations have been made of the number of homeless youth in any one year in America. The National Network of Runaway and Youth Services and the National Youth Work Alliance estimated that 500,000 youth are homeless each year. DHHS has developed a series of initiatives directed at the homeless youth phenomenon. As a point of departure for these initiatives, it has found most useful the Report of the Subcommittee on the Constitution of the Committee of the Judiciary of the United States Senate entitled Homeless Youth--The Saga of Pushouts and Throwaways in America.

While the population estimates discussed above are important and provide a basis for policy and program development, the nature of the twin phenomena of runaway and homeless youth remains difficult to define and evaluate. The causes of youth problems are complex, multiple and interrelated. These youth are particularly vulnerable, while on the run or homeless, to exploitation and to dangers on the streets. It was for these reasons, and because of the interstate nature of the problem, that Congress passed the initial Runaway Youth Act in 1974.

Detailed client and service profiles drawn from the data provided to the Youth Development Bureau by the funded centers during Fiscal Year 1982 are presented in Appendix C of this report. In general terms, however, the youth receiving services at the centers fell into six categories:

(1) Runaway Youth: Those youth who are away from home without permission of their parents or legal guardians.

(2) Push-Out Youth: Those youth who leave home with parental encouragement.

(3) Throwaways: Youth who leave home with the knowledge and approval of parents and legal guardians and who desire to leave home.

(4) Potential Runaway Youth: Those youth who are still living at home but are considering leaving home without permission.

(5) Non-Crisis Youth: Those youth who are living in an unstable or critical situation but who are not planning to leave.

(6) Other: Youth who utilize the services of runaway and homeless youth centers for various other reasons.

These youth represent a wide range of ages and ethnic and racial groups. Females comprise 58 percent of the clients served, and 48 percent of the female adolescents are either 15 or 16 years of age. Black youth not of Hispanic origin comprised 17 percent of the total number served, while Asian and Hispanic youth total seven percent of the client population. The major problems cited by the youth served include "poor communication with parents" (50 percent of the cases); "school problems" in 31 percent of the cases; and, a "status or criminal offense problem" in 11 percent of the cases. Section IV provides more detailed client and service profiles with additional data on school status, living situations, characteristics of runaway and homeless youth episodes, causation factors, reasons youth seek services, how youth learn about the centers, extent of parent participation in center programs, and case disposition when youth leave the centers or when services are terminated.

SECTION II

THE RUNAWAY AND HOMELESS YOUTH PROGRAM

Purpose and Objectives of the Runaway and Homeless Youth Program

The purpose of the Runaway and Homeless Youth Program is to provide support to State and local governments, nonprofit agencies, and coordinated networks of these agencies to develop or strengthen community-based centers dealing with the immediate problems of runaway and homeless youth, and their families. The broad purpose of the program is included in four Congressional goals established for the centers in Section 315 of the legislation. The four goals, and the extent to which DHHS has met them on the basis of a secondary analysis conducted in 1982 of the client and service data collected at the centers and reported to DHHS, are identified below with the results of data analyses:

Goal 1 Effectiveness of the centers in alleviating the needs of runaway youth:
More than 90 percent of the youth served by the centers in FY 1982 received basic food, clothing and shelter services.

Goal 2 Ability of centers to reunite children with their families and to encourage the resolution of family problems through counseling and other services:
Sixty-six percent of the youth served by the centers in FY 1982 and 50 percent of the parents of these youth reported that the centers were helpful in resolving family problems and in effecting family reunification.

Goal 3 Effectiveness of the centers in strengthening family relationships and encouraging stable living conditions for children:
Fifty percent of the runaway youth served by the centers reported that the center programs helped strengthen and stabilize family relationships and lessened the possibility of future runaway episodes.

Goal 4 Effectiveness of centers in helping youth decide upon a future course of action:
Seventy-five percent of the youth served by the centers credited the center programs with success in helping them decide upon a future course of action following their contact with these programs.

The General Accounting Office (GAO) and Berkeley Planning Associates of California verified in separate reports that the program was meeting Congressional goals and objectives. GAO made a formal report to the Subcommittee on Human Resources of the House of Representatives' Committee on Education and Labor on May 5, 1982. Through a seven-month study of a sample of DHHS-funded centers for runaway and homeless youth, GAO found that the centers were serving those youth targeted by the Congress. Berkeley Planning Associates, an independent private contracting firm, corroborated in its 1982 report entitled *The National Runaway Youth Program*, their findings from the 1980 national evaluation of the program, in terms of its success in meeting the Congressional objectives set in Section 315 of the law.

Status and Accomplishments of Centers for Runaway and Homeless Youth

During Fiscal Year 1982, the number of funded centers decreased slightly from 169 to 166. Three centers were defunded, while the remainder maintained stable operating programs which served approximately 44,000 youth in sheltered and non-sheltered modes. In addition to the numbers served by the centers on an overnight or extended basis, approximately 133,000 youth received one time drop-in services involving counseling or referral.[*]

The centers continued to diversify their funding sources during FY 1982. Appendix A presents the various types of governmental and private sector funding sources accessed by the centers during Fiscal Year 1982. All of these centers received varying amounts of Federal funds, including those appropriated by the Congress for implementation of the Runaway and Homeless Youth Act. Overall, the major sources of centers' operating budgets included Federal (36 percent[*]), State (19 percent), county (7 percent), city and local (10 percent), donations (15 percent), and fees/in-kind contributions (11 percent).

The centers continued in Fiscal Year 1982 to use local and State networking systems to enhance their program efforts and to facilitate collaborative planning, training, service delivery and assessment initiatives with other community service agencies.

Other accomplishments during FY 1982 have been the continued effectiveness of the funded centers in providing essential services to runaway and homeless youth beyond the mandated temporary shelter, counseling and aftercare services. Most of the centers offered youth and families an array of ancillary medical, educational, recreational, employment, advocacy, mental health, substance abuse and health services either directly or on a referral basis--using in many cases professional volunteers from medicine, nursing, law, social work and education. Both through the creative use of volunteers as well as by means of networks, coalitions and consortia, the centers have actively made essential human services available to runaway and homeless youth, and their families.

The centers increased the volume of services provided during FY 1982. While in Fiscal Year 1977 the runaway youth grantees served an estimated 15,000 youth, this number increased to 44,000 in Fiscal Year 1982. In 1977, 19,000 youth and their families utilized the National Communications System (NCS); in Fiscal Year 1982 this number rose to over 200,000 youth and their familes. The NCS is discussed more fully below.

---

[*] Generally, the centers obtain 25 percent of their funds from the Runaway Youth Program and 11 percent of their funds from other Federal Sources.

Ninety-one percent of the centers funded by the Department of Health and Human Services in Fiscal Year 1982 were operated at the local level under nonprofit auspices. The remaining nine percent were operated by State and local government agencies. Eighty-one percent of these centers were located in high population urban areas and were accessible to youth and their families by means of public transportation.

The centers varied considerably in terms of their structural design, staffing, programmatic and management styles, and in their relationship to other traditional and nontraditional human service agencies serving youth in the community. The Department of Health and Human Services has found that, in general, two subpopulations of clients emerge. The majority of youth seeking assistance from the Runaway Youth Act-funded projects fall into one of two distinct clusters, each of which demonstrates a unique set of client characteristics and service needs. The first group includes youth who fit into a family-oriented classification. These youth range in age from 9 to 16; have a tendency to be self-referred or referred by school officials; attend school; live with their parents; and have been involved in previous runaway episodes. The second group is composed of independent-oriented youth who either have no family or are with a family that no longer offers a viable living arrangement. The two client groups require different intervention strategies, staffing patterns and community coordination efforts.

The typical center funded under the Runaway and Homeless Youth Act includes the following characteristics:

- it is located in an urban-suburban area;
- it is operated as a private, nonprofit youth-serving agency with a board of directors and a single director;
- it is affiliated with a larger public or private human service organization or agency;
- it provides temporary shelter care directly within a single facility;
- it makes extensive use of volunteers to augment paid full-time and part-time staff;
- it is actively involved with other public and private youth-serving agencies through networks, coalitions and consortia;
- its funding base is diversified with a mix of public and private sector financial support; and
- it employs a paid staff ranging in size from 3 to 24; part-time staff from 1 to 15; and volunteers from 5 to 100.

Program Management

The Youth Development Bureau (YDB), located within the Administration for Children, Youth and Families (ACYF), in the Department's Office of Human Development Services (OHDS) maintains administrative responsibility for the award of grants supported under the Runaway and Homeless Youth Act.

Staff of the Youth Development Bureau are responsible for the day-to-day direction of the program, for the coordination of central and regional office functions in the implementation of the program, and for issuing funding, policy and other guidance to the ten ACYF Regional Offices. The Youth Development Bureau also establishes performance standards for the centers, collects statistical and other data, and conducts annual planning, budget and program initiatives.

A key element in the implementation of the Runaway and Homeless Youth Act is the important role played by the ACYF Regional Program Directors, who make staff specialists available for the review, approval and monitoring of center grants. OHDS Grants Management staff are also actively involved in the funding process. The Regional Program Directors are also responsible for oversight of the Regional Resource Centers for Children and Youth and ensure that the Runaway and Homeless Youth Act-funded grantees in their respective regions have access to technical assistance and training support activities.

YDB formulates annual budget estimates, develops testimony and other documents for DHHS, and responds to Congressional inquiries. YDB arranges periodic central/regional office conferences in its management of the program and works closely with the Regional Program Directors during the course of annual funding cycles on policy, regulatory, programmatic, budget, planning and evaluation activities.

Fiscal Year 1982 Grant Awards

In January of 1982, ACYF's Commissioner announced a Runaway and Homeless Youth Act funding cycle. ACYF completed this funding cycle in June 1982 with the award of grants to 166 projects nationwide. Under guidance provided by YDB, each Regional Program Director, assisted by specialists, reviewed all of the applications submitted for continuation funding. Special care was taken to ensure that each center was still eligible for continued funding, that the criteria for funding set forth in the law and the governing regulations were applied, and that each center had operated during the previous year in a manner that met all of the legal, administrative, programmatic and service requirements.

Youth population data supplied by the U.S. Bureau of the Census were used to determine each State's allocation of the available $10.2 million for center grants.

The size of the Fiscal Year 1982 center grants ranged from $8,500 to $150,000. Eighty percent of the funds were utilized for personnel involved in providing shelter, counseling and aftercare services.

National Communications System--National Runaway Switchboard

In the 1980 amendments to the Runaway and Homeless Youth Act, the Congress formally authorized the Secretary of DHHS to establish and maintain a communications system to provide information and referral services to runaway and homeless youth, and their families nationwide. Prior to the 1980 amendments, the communications system was operated as a toll-free hotline--the National Runaway Switchboard (NRS). Although the system began in 1975 as an eight-month demonstration project, it became clear that its concept and implementation were highly effective. The NRS received 11,000 calls from runaway youth and their families during that period. From 1975 to the end of FY 1982, over 1.8 million youth and their families have been served.

Since the initial demonstration grant, the National Runaway Switchboard has continued to deliver quality services to large numbers of runaway and homeless youth, their families, and youth-serving agencies through the Agency Information System, which it also maintains. The number of calls received by the NRS since 1975 is as follows:

Fiscal Year 1975	22,000
Fiscal Year 1976	40,000
Fiscal Year 1977	65,000
Fiscal Year 1978	105,000
Fiscal Year 1979	125,000
Fiscal Year 1980	140,000
Fiscal Year 1981	200,000
Fiscal Year 1982	200,000

The Switchboard operates 24 hours a day, 365 days a year with a paid staff of nine full-time employees, 5 to 15 part-time employees and more than 100 trained volunteers. Through the Switchboard, youth receive information, referral, and counseling services at the time of their call, regardless of their location. Youth and families may access the services by dialing the toll-free telephone number 800/621-4000 in 48 states (the exceptions are Alaska and Hawaii). The Switchboard maintains information on several thousand agencies offering services to young people and their families. The National Runaway Switchboard helps runaway youth reestablish contact with their homes either by conferencing a call between the youth and his/her parents or by conveying messages between the youth and family members.

In Fiscal Year 1977, the National Communications System (NCS) established a second component, the Agency Information System (AIS). AIS assists youth service agencies in delivering more effective services by facilitating interagency communication on specific client cases. Accessible only to youth service agencies, the AIS can be utilized through an unpublished, toll-free telephone number obtainable from Metro-Help, Inc. The AIS operates ten hours a day, five days a week, and has resulted in the removal of agency calls from the National Runaway Switchboard so that its lines can serve more young people and their families.

In Fiscal Year 1982, the Department continued to support this essential service by funding the System at a level of $300,000. Aside from the general increase in the number of calls handled since 1975, another aspect of the program is noteworthy: More than 100 trained volunteers are used in the operation of the NCS. On the average, each volunteer devotes four hours a week to manning the telephone lines, which is the mainstay of the service. Volunteers also assist in conducting public education forums and are a major resource for recruiting new volunteers.

In September 1982, the Department conducted a competitive funding process to determine the grantee to operate the NCS in Fiscal Years 1983 and 1984. This grant was awarded to Metro-Help of Chicago, Illinois, which has been the grantee since 1975. DHHS plans to evaluate the technical proficiency of the NCS and to continue efforts to coordinate the services of the NCS with the centers for runaway and homeless youth, the coordinated networks of agencies, and other related Federal, State and local activities in Fiscal Year 1983.

Program Performance Standards

The Program Performance Standards established by YDB for its funded centers relate to the methods and processes by which the needs of runaway and homeless youth and their families are being met as opposed to the outcome of the services provided to the clients served. The Program Performance Standards and the related criteria and indicators--as initially published in March 1977--were developed by YDB through an analysis of the service and administrative components of runaway and homeless youth projects. They were revised based upon the comments and feedback provided by the Fiscal Year 1975 funded projects, and have subsequently been further revised, based upon the experience of YDB and its funded centers in their implementation. The standards relate to the basic program components enumerated in Section 311 of the Runaway and Homeless Youth Act and as further detailed in the regulations governing the implementation of the Act. Each center funded under the Runaway and Homeless Youth Act is required annually to conduct a self-assessment of its compliance with these standards, using a form provided by YDB for this purpose. These self-assessment data are validated once each funding cycle by the regional ACYF program specialists.

The Program Performance Standards serve as a developmental tool. They are employed by both the center staff and the regional ACYF program specialists in identifying those service and administrative components and activities of individual centers which require strengthening and/or development, either through internal action on the part of staff or through the provision of external technical assistance.

In September 1982, the Office of Management and Budget (OMB) again approved the use of the Program Performance Standards and the Program Performance Standards Assessment Instrument.

The Program Performance Standards, as approved, include:

- Outreach
- Individual intake process
- Temporary shelter
- Individual and group counseling
- Family counseling
- Service linkages
- Aftercare services
- Case disposition
- Staffing and staff development
- Youth participation
- Individual client files
- Ongoing center planning
- Board of directors/advisory body (optional)

Coordinated Networks

In Fiscal Year 1981, DHHS began an intensive effort to implement the provision of Section 311 of the Runaway and Homeless Youth Act which authorizes the Secretary to fund coordinated networks of centers and other agencies serving runaway and homeless youth, and their families. This effort was maintained in Fiscal Year 1982, and the coordinated networks were supported by the Department with total grants of approximately $150,000 to eight networks.

The support and the operation of these networks are one method for more effectively coordinating Federal, State and local government programs for runaway and homeless youth, and their families through the sharing of information, expertise, and available resources. An additional impetus has been given to this networking initiative by the Department's entering into an agreement with the National Conference of State Legislatures to augment policy planning with these State and local networks.

The effectiveness of the networks is reflected not only in their relatively low costs for Federal support, but also in the fact that five of the networks are no longer dependent on Federal funds. The networks vary in size, function, and location, and involve public and private sector agencies in their operations. These networks combine their resources as well as effect major economies by sharing expenses and utilizing available State and local resources. They conduct campaigns to raise additional non-Federal funds and have succeeded in involving many individuals and organizations previously interested and active in the youth services field. The networks have also been effective as advocates for children and youth.

In New York, the Empire State Coalition published a directory of existing services for runaway and homeless youth. The Coalition also worked closely with the New York State Association of Youth Bureaus and developed a consolidated youth services bill for introduction in the New York State Legislature. Another important achievement in New York State has been the extent to which the Empire State Coalition has integrated services for runaway and homeless youth into county government planning processes. Runaway and homeless youth programs in the counties in which they are located are now included in the county level governmental plans.

YDB NETWORKING PROJECTS

REGION I

Elizabeth Rocklin
Ruth Freyman, Exec. Dir.
New England Consortium for
Families and Youth
1005 Cherry Street
Hollister Hill, Box 530
Plainfield, Vermont 05667
802-454-7724

REGION II

Linda Freeman, Exec. Dir.
Empire State Coalition
214 Lark Street
Albany, New York 12210
518-436-7715

REGION III

Herb Lawrence, Exec. Dir.
Youth Service Alliance
610 N. Second Street
Harrisburg, Pennsylvania 17101
717-238-0214

REGION IV

Frank Moseley, Exec. Dir.
Metro Atlanta Mediation
Center: The Bridge
77 Peachtree Place, N.W.
Atlanta, Georgia 30309
404-881-8344

REGION VI

Sharon Wiggins, Exec. Dir.
Southwest Network of Youth Services
1219 N. Classo Boulevard
Oklahoma City, Oklahoma 73106
405-235-7537

REGION VII

Gary Stangler, Exec. Dir.
Missouri Prevention Network
Suite 203-B, Stevens Building
1005 Cherry Street
Columbia, Missouri 65201
314-875-2041

REGION VIII

Doug Herzog, Exec. Dir.
Mountain Plains Youth
Services Coalition
P. O. Box 1242
Pierre, South Dakota 57501
605-224-8696

REGION IX

Nancy Sefcik, Exec. Dir.
Youth Services
1713 J Street
Suite 301
Sacramento, California 95814
916-443-6115

National Conference of State Legislatures (NCSL)

An agreement with the National Conference of State Legislatures (NCSL) which was first funded by DHHS in late Fiscal Year 1981 in the amount of $99,000 was implemented during Fiscal Year 1982. The goal of this project was to support the decision-making capacities of State legislatures in the area of youth services. The agreement recognizes that many of the coordinated networks funded by DHHS have a State/local focus and have successfully created formal linkages with State/local government and private sector agencies in the field of youth services.

The project also focused on a broad range of youth policy issues. In addition to service programs for runaway and homeless youth, the NCSL project addressed major issues, problems and needs in the areas of missing children, substance abuse, juvenile justice, adolescent abuse and neglect, and foster care. One important function of NCSL was to provide technical assistance to State legislative bodies on specific youth service issues and programs. Three monographs were prepared under this agreement in Fiscal Year 1982 by NCSL and DHHS, as discussed in Section I. DHHS staff participated in NCSL's annual conference and forums in Denver and Chicago, and developed a presentation for the annual meeting in July on juvenile justice issues as they affect DHHS youth programs and policies.

The project is administered out of NCSL's national headquarters in Denver, Colorado. The response from State officials and DHHS coordinated networks has been positive and enthusiastic. In summary, the project addresses the following objectives:

- It collects and shares important current interdisciplinary information with State and local government and private sector agencies in the youth field.
- It provides the means for forming or strengthening service linkages between agencies operating programs for vulnerable youth and the men and women who serve in State legislatures.
- It establishes a mechanism for identifying cost-effective youth service models that other States can replicate at minimum costs.

Volunteers

One of the major elements in the operation of the centers for runaway and homeless youth, the coordinated networks and the National Communications System, has been their reliance upon volunteers.

In his testimony before Congress, the Commissioner of ACYF reported on the active utilization of volunteer personnel in the DHHS-funded programs for runaway and homeless youth. Hundreds of volunteers have been recruited and trained to provide a wide range of services. The National Communications System depends upon 100 volunteers to augment its regular paid staff. These volunteers man the hotline telephones, counsel and perform other important duties, and ensure the successful operation of the National Communications System. The Bridge program in Boston uses volunteer doctors and nurses in a mobile van as outreach to runaway and homeless youth. In Cleveland, Ohio, the Safe Space State program assigns volunteer nurses, attorneys, art therapists and other professionals to a variety of duties that enhance its program for runaway and homeless youth. In Philadelphia, at Voyage House, volunteer parents have been trained to work with runaway youth, to provide them with emergency shelter and to operate a local hotline.

DHHS estimates that the 166 centers, the National Communications System and the Coordinated Networks use an average of 15 volunteers with as many as 500 total volunteers contributing varying periods of time in a wide range of duties. In its support for the use of volunteers in the programs it funds, DHHS has been actively engaged with ACTION in a number of initiatives. ACYF staff work closely with ACTION within the framework of the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention and its special council ad hoc committees that target youth programs and volunteers.

General Accounting Office (GAO) Report on Runaway and Homeless Youth

In 1981-1982, the General Accounting Office, at the request of the House of Education and Labor Subcommittee on Human Resources, conducted a seven-month study of a sample of 17 centers for runaway and homeless youth located in 12 States. The purpose of the study was to observe the operation of these centers and the manner in which they delivered services to runaway and homeless youth. The formal GAO report on the Runaway and Homeless Youth Program was made to the Chairman and members of the Subcommittee on May 5, 1982. The study was planned and conducted by the GAO's Institute for Program Evaluation.

Highlights of Findings

- A majority of the youth who received services were: (a) first-time clients who had not been previously sheltered by the center; (b) from the immediate geographical area in which the center is located; (c) referred to the center by professional service providers, that is, social service agencies, juvenile justice authorities, police, and school personnel; and (d) accompanied to the center by service providers, parents and relatives.

- Center staff and others in the community reported that the three most pressing client needs were shelter, counseling and family involvement. These needs were met by all of the centers visited.
- The number of youth sheltered at each center visited varied greatly. Three host home programs in the study, which provided short-term residential care for youth, sheltered 19, 29, and 259 youth during the program year 1980. The 13 center-run shelter programs sheltered from 52 to 617 youth, with an average of 259 clients per center.
- Fifty percent of the youth sheltered by the centers during the previous year returned to their immediate family or to homes of other relatives.
- In 12 of the sites, 50 percent or fewer of the centers' clients received aftercare services.
- Program strengths identified by youth, parents of former clients, community members and center staff included: the existence of a shelter program; counseling and crisis intervention services; and family involvement.
- Program weaknesses identified by community people and center staff included: limited shelter capacity, insufficient staff, and, limited professional experience and training of some staff members.
- Ninety-eight percent of the parents of former clients believed that their family problems would not have been resolved if the centers had not been there to assist them.
- Ninety-three percent of the youth served by the centers believed that the center programs helped resolve family problems.

Concluding GAO Observations

GAO reported that the 17 centers studied served the youth population targeted by the statute. The services offered were also those identified by the law, and center environments facilitated the achievement of program goals. Overall, GAO found the centers to be addressing community service needs in their delivery of program services to runaway and homeless youth, and their families.

National Institute for Youth Services

In 1979, the Youth Development Bureau, as part of its national training and technical assistance efforts for grantee center staff, developed and held the first Youth Services Institute (YSI). The Institute was designed to provide comprehensive/intensive training in specific areas to the administrators and key staff of YDB-funded runaway and homeless youth programs. The Institute design was significantly different from the earlier training and technical assistance efforts of the Youth Development Bureau. The emphasis was previously focused on multi-regional efforts and on individual technical assistance provided on a project-by-project basis.

The Youth Services Institute concept involved an application and selection process designed to assure the highest levels of education and experience of the participants, as well as a commitment on their part to share the training through State and regional exchanges. Three grantees from each of the ten regions were selected to participate in the week-long training, along with ACYF regional and central office staff. The Institute was held at the University of Michigan in Ann Arbor and was successful in providing training to meet the increasingly more complex needs of youth and family service providers.

Since the first YSI in the summer of 1979, YDB's training and technical assistance contracts have continued to provide for the implementation of similar institutes. In 1980 and 1981, the Institutes were held at Oberlin College and were similarly structured, with participants applying for specific topic areas among the three graduate-level courses available.

Many national, regional and State-level boards of directors of youth organizations--such as the National Network of Runaway and Youth Services, the National Youth Workers' Alliance, the New England Consortium for Families and Youth, Inc., the Ohio Youth Services Network, and the Empire State Coalition--have been participants in the YSI.

In 1982, YDB's training and technical assistance program included a conference, the National Institute for Youth Services, held at the University of Michigan. The 1982 National Institute for Youth Services was designed to assist YDB-funded runaway and homeless youth program administrators and other youth and family service professionals and policy makers to develop their own skills as leaders and trainers in three major areas, and to assist them in transmitting their knowledge back to their projects and communities.

The three topic areas for the 1982 National Institute for Youth Services were:

- State and Local Policy Development: How to understand, access and influence the policy development process. The participants learned the knowledge and skill areas necessary to become successful policy advocates on the State and local levels.

- Board and Committee Development: How to recruit, train and maintain an effective volunteer board of directors. The participants received the skills necessary to involve and educate boards to perform the leadership, stewardship and trusteeship activities necessary for future organizational survival and success.

- The Family, the Organization and the Community: How to develop a systems approach to community collaboration. The participants achieved a common framework for identifying and assessing the organizational dynamics of systems (including the family as a system), and learned how these dynamics affect the ability of youth-serving systems to promote and foster positive youth development.

The trainers for the Institute were chosen on the basis of their knowledge of the topic area and their familiarity with the issues facing YDB-funded projects as well as other programs serving youth and families at the State and local level. Each of the trainers had been involved previously with YDB programs, either as staff or as trainers of similar events.

More than 60 percent of the 40 participants in the 1982 Institute were YDB-funded programs and agencies. Other participants included State and Federal youth and juvenile justice policy planners, volunteer board members, members of the academic community and representatives of other youth and family service systems from throughout the country. All participants and/or their agencies were required to pay for their own travel and per diem expenses. In addition, a registration fee was charged to defray the costs for materials and supplies.

The benefits to YDB and to the YDB-funded programs of this expanded Institute included the opportunity for program people to build linkages with other professionals in the field and to share resources and information beyond the YDB system.

SECTION III

RESEARCH, DEMONSTRATION, EVALUATION ACTIVITIES

Research and Demonstration Activities Supported in FY 1982

The Youth Development Bureau, in addition to administering the grants program authorized under the Runaway and Homeless Youth Act, also supports a variety of research, demonstration, and evaluation activities. These efforts are designed to address priority information needs related to runaway and homeless youth, and their families as well as to broader youth and family issues, needs, and problems.

Research and demonstration initiatives related to the first objective are designed to:

- strengthen planning and programming efforts at the national and community levels relative to the administration of the Runaway and Homeless Youth Act through the collection and analysis of information on the needs, problems, and service requirements of runaway and homeless youth; and
- strengthen the capacity of grantees supported under this Act to plan, implement, and evaluate programs of service to runaway and homeless youth and their families.

Initiatives related to broader youth development and family issues and concerns are designed to:

- generate new information concerning critical existing and/or emerging youth and family needs and problems, including their incidence, prevalence, and impact upon positive youth development;
- identify, test, and assess innovative approaches (both preventive and ameliorative) for addressing these youth needs and problems; and
- disseminate the results of these initiatives to other national, State, and local public and private agencies and organizations in order to improve the planning and delivery of effective services to these target populations.

The following FY 1982 research and demonstration activities have been implemented through monies provided under Section 426 of the Social Security Act or through interagency agreements with other Federal agencies.

Services to Youth Involved in Prostitution

A 17-month grant was awarded to the Metropolitan Service District, Criminal Justice Planning Unit (Portland, Oregon) for Project LUCK, a comprehensive service demonstration project designed to address the problem of the sexual exploitation of street youth involved in prostitution. Project LUCK (Link Up the Community for Kids) is a community-wide effort involving extensive interagency collaboration between human service providers, private sector voluntary organizations, and the business community to provide critically needed services to street youth highly vulnerable to or involved in prostitution.

Specific project services to be provided include residential housing through the local runaway center and a network of volunteer shelter homes, job training and placement services, the use of Big Brothers/Big Sisters as volunteer case monitors/counselors, a street outreach team, and specialized individual counseling. A major focus also includes the recruitment, screening, training, monitoring, and assessment of both law and social service professional volunteers to adequately address the complex needs of these youth.

Other major objectives include the development and testing of prevention curricula in public elementary schools, the conduct of public education and community awareness activities regarding sexual exploitation as a form of abuse and neglect, the provision of ongoing training to community social service providers; and the development of replicable training materials.

Employment Training and Placement for High School Dropouts

A 12-month demonstration grant was awarded to the city of Pasadena, California, Department of Grants Management, for a project designed to provide career counseling, vocational training, and job placement services to youth "detached" from available educational resources in order to reduce both the dependency of these youth on public assistance as well as their potential involvement in criminal and antisocial behavior. Vocational assessment, support services to youth participants (e.g., child care, medical or transportation services), family counseling, occupational and academic training, and on-the-job work experiences will be provided through the vocational and general education programs of Pasadena Community College and the Pasadena Community Skills Center.

Evaluation of the National Communications System/National Runaway Switchboard (NRS)

This project, being coordinated with the Assistant Secretary for Human Development Services' Office of Program Development, is designed to assess the effectiveness of the Youth Development Bureau's National Communications System as a national, confidential, toll-free information, referral, and crisis intervention communication system. This System, operationalized in part as the National Runaway Switchboard (NRS), specifically addresses the needs of runaway and homeless youth and their families, and serves as an Agency Information System (AIS) for youth-serving agencies.

The major purposes of this project are to evaluate the overall operations, management, and technical adequacy of NCS/NRS; conduct a comparative analysis of this System with other similar national crisis hotlines; and identify potential strategies for operationally improving the capacity, efficiency, and overall effectiveness of the National Communications System in serving youth, families and community-based youth service agencies. This project will be completed in 1983.

Consolidated Regional Resource Centers for Children and Youth Services

During FY 1982, the Administration for Children, Youth and Families awarded ten grants (one in each of the Department's Federal regions) to establish Regional Resource Centers for Children and Youth Services designed to provide technical assistance, training, and information dissemination to States and communities in the areas of child welfare, abuse and neglect, adoption, and youth services. These new grants not only consolidate the separate Regional Resource Centers previously supported in the areas of abuse and neglect, adoption, and child welfare training, but also expand their technical support activities to address service providers funded under the Runaway and Homeless Youth Act.

Nine of the centers are located in and administered by colleges or universities. Training and technical assistance to runaway centers will focus on addressing both the administrative needs of these service agencies (e.g., personnel and fiscal management, interagency linkages, volunteer recruitment, training, utilization, and youth participation) as well as their service improvement needs--including outreach, case management, data collection, aftercare services, and community education.

Management Information System

The Runaway and Homeless Act requires grantees to maintain statistical records on the youth served and to submit annual reports to the Department describing project goal accomplishments and containing statistical summaries on the population served.

To facilitate the accomplishment of these reporting requirements, YDB has developed and implemented an automated Management Information System (MIS), which is staffed and operated by YDB personnel. The MIS is designed to collect, process, and analyze the data generated by the Runaway and Homeless Youth Act grantees. The data compiled through this system have been used by YDB and by centers in a variety of ways.

At the national level, these data have been employed in developing the Annual Report to the Congress that is authorized by Section 315 of the Act; in responding to requests for information both within and outside the Department; and for planning and programming purposes. These data, along with other statistics compiled on youth, have also been used in identifying the critical and emerging youth needs and problems that should be examined through YDB-supported research initiatives (e.g., abused and neglected adolescents, young people from families undergoing crises associated with marital transitions, and juveniles involved in sexual exploitation).

At the project level, these data have been used in identifying the service and other programmatic changes that are required to more effectively meet the needs of the clients being served, in increasing community awareness of the needs of runaway and homeless youth, and in developing applications for funding.

The MIS is designed to collect client-specific data from grantees. Using a standardized reporting form, the grantees submit client data that include:

- demographic information on the youth served;
- presenting problems of youth and their reasons for seeking center services;
- services provided; and
- service outcomes.

Three major types of reports are produced. Monthly, a report is generated on the number of youth served at each shelter during a given month. This report aggregates the data by region and for each individual shelter. This table is produced and mailed to each project.

Secondly, on a quarterly basis, YDB produces a set of reports that provide cross-tabulations of selected variables considered to be critical for program operation. These reports are produced on an individual project basis with the same reports being cumulated at the regional and national levels, providing program comparison at all levels.

The third category of reports is made up of special studies arising from such sources as the development of the Annual Report to the Congress, the preparation of Congressional testimony, responses to the unique informational needs of the funded centers, responses to inter and intragovernmental requests for data to use in the programs or studies they are conducting, and responses to special informational requests from the private sector.

Research and Demonstration Initiatives Completed in FY 1982

Secondary Analysis of Client Data

A research contract awarded in October 1980 ("Secondary Analysis of Data Compiled on the Clients Served by the Runaway Youth Act-Funded Projects") was completed in FY 1982. The purposes of this initiative were to conduct reliability and validity checks of the client data generated between 1978-1981 by the centers funded under the Runaway and Homeless Youth Act; to conduct comprehensive analyses of these data and to develop a detailed profile of the clients served, including the identification of changes in client characteristics and service requirements over time. Information generated by this study has been used in responding to both Congressional and public inquiries regarding the populations served by the program; in developing the Annual Report to the Congress; and in program planning related to the identification of specific client types served, their needs, and appropriate services.

A Study of Juvenile Prostitution

A two and one-half year research initiative ("Adolescent Male Prostitution: A Study of Sexual Exploitation, Etiological Factors, and Runaway Behavior") was also completed in FY 1982. The purposes of this project were to develop an in-depth demographic and descriptive knowledge base on male youth involved in prostitution;

to conduct a comparative analysis of these data with existing information on adolescent female prostitution; and to examine the relationships between adolescent male prostitution, involvement in pornography and related sexual exploitation activities, and runaway behavior.

The overall project goals were to identify the special needs and problems of these youth (both male and female) and to develop information and materials to assist community-based youth service agencies and other State and local agencies and organizations in planning, developing and implementing effective approaches for addressing the problem of juvenile prostitution and sexual exploitation. Information generated from this project has been reported to the Congress and will be used in supporting service demonstration projects in 1983.

Youth Demonstration Grants Program

In September 1980, the Youth Demonstration Grants Program provided support to eight centers for runaway and homeless youth to implement and test innovative service approaches for addressing the critical needs of two target populations: abused and neglected youth and their families (four projects); and separated, divorced, or recombined families with a youth member (four projects). The service models being tested by these projects were developed under research initiatives previously supported by the Youth Development Bureau. Final reports on project activities and accomplishments will be provided by each of the demonstration projects during the first quarter of FY 1983.

SECTION IV

FEDERAL COLLABORATIVE ACTIVITIES

COORDINATION AND CONCENTRATION OF EFFORT

Overview

More than 50 separate Federal programs deal with some facet of youth services. In its "Fifth Annual Analysis and Evaluation of Federal Juvenile Delinquency Programs," the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention found that these separate Federal juvenile justice and youth service programs included seven Cabinet-level departments and two independent agencies. Three of the Departments--Education, Labor, and Health and Human Services--encompassed 64 percent of the programs and 95 percent of the estimated obligations of $5.5 billion in FY 1980.

In the initial passage of the Juvenile Justice and Delinquency Prevention Act in 1974, Congress created the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention. The Council's purpose is to coordinate the efforts of Federal juvenile delinquency programs in reducing both the duplication of efforts and conflicting programs that these agencies develop for closely related youth programs.

The Coordinating Council is an independent organization in the Executive Branch of the Federal government. The Secretary of DHHS, the Commissioner of ACYF, and the Director of YDB are statutory members of this Council, which is required by law to meet quarterly. The Council, composed of 18 members representing different departments, serves as the primary mechanism for guiding Federal efforts to combat juvenile delinquency and to coordinate and concentrate a wide diversity of resources available from Federal agencies.

The Council reviews Federal juvenile justice programs annually and reports to the President and to the Congress with respect to the coordination of overall Federal juvenile delinquency programs and activities. The President is authorized by law (42 U.S.C. Sec. 5614 (c)) to respond to the Council's recommendations within 90 days by submitting a detailed report to the Congress and to the Council.

The current Coordinating Council is comprised of individuals with extensive experience in directing youth and juvenile justice programs. During FY 1982, for the first time in its history, the Council met outside the Department of Justice at the invitation of the Department of Health and Human Services. Two separate Council meetings, hosted by the DHHS, as well as three days of public hearings in March 1982 were convened to obtain views and recommendations on the Council's proposed priorities and workplans for 1982, 1983, and 1984 from leading national, State and local government, private sector organizations and officials. The workplans were published in the Federal Register in February 1982.

In June, the Council adopted the following priority areas for concentrated efforts.

1. Schools and Delinquency

2. Substance Abuse

3. Youth Development

4. Treatment Alternatives

5. Deinstitutionalization of Status Offenders

The Council's plan is consistent with its mandate to assist the President's Office of Management and Budget, Congressional committees and Federal agencies in establishing priorities for juvenile justice and delinquency prevention efforts. It also allows State, local government, and private sector agencies the opportunity to work with the Council and to use it as a mechanism in accessing Federal program planning activities.

In the first quarter of FY 1982, DHHS and the Department of Justice entered into an agreement enabling the Department of Justice to develop a monograph on State coordination mechanisms for youth services. DHHS transferred $53,584 for this purpose to the Department of Justice. The monograph will include:

- a 50-State survey identifying and describing the nature and scope of youth service coordination efforts at the State level;
- a typology of State coordinating mechanisms and a description of these mechanisms;
- an in-depth review of coordinating mechanisms in four to six selected States, their origins, powers, and an assessment of their effectiveness;
- a review of the literature on the topic of youth service coordination issues such as planning processes, intergovernmental relations, funding strategies, and public/private sector cooperation; and
- conclusions and recommendations on youth service issues that the Federal Coordinating Council will consider in developing its plans, programs, and priorities.

It is anticipated that this monograph will be widely disseminated to State advisory committees and professionals in the juvenile justice and youth services fields.

Another interagency agreement between DHHS and the Department of Justice will implement a process for gathering data and reviewing information at the State and local levels on selected issues in the program plan adopted by the Coordinating Council on Juvenile Justice and Delinquency Prevention on July 15, 1982.

National Advisory Committee on Juvenile Justice and Delinquency Prevention

In May 1982, President Reagan appointed nine members to the National Advisory Committee on Juvenile Justice and Delinquency Prevention (NACJJDP), which was created in 1974 by the Congress under the provisions of Title II of the Juvenile Justice and Delinquency Prevention Act (P.L. 93-415, Section 207 (42 U.S.C. Sec. 5617)). The National Advisory Committee is composed of 15 members, five of whom must be youth under the age of 24, with two of these youth members being present or former adjudicated delinquents. The Director of the Youth Development Bureau has the primary responsibility within the Department for working closely with the National Advisory Committee.

The Committee is charged under Section 207(d) of the Act (42 U.S.C. Sec. 5617(d)), with the responsibility to annually review Federal juvenile delinquency policies; to advise the Administrator of the Office of Juvenile Justice and Delinquency Prevention with respect to the particular functions of that Office; and to make recommendations to the National Institute of Justice and the National Institute for Juvenile Justice and Delinquency Prevention concerning the overall policy and operation of these two Federal institutes. The Committee also is involved in developing and adopting recommended standards for the administration of juvenile justice at the Federal, State, and local levels.

The National Institute of Corrections

Title V of the original Juvenile Justice and Delinquency Prevention Act (P.L. 93-415, Section 521 (18 U.S.C. Sec. 4351)) created the National Institute of Corrections (NIC) with an ex-officio advisory board including the Assistant Secretary for Human Development Services.

The NIC, located in the Department of Justice's Bureau of Prisons, is responsible for making grants in the areas of juvenile and adult corrections; for serving as the Federal information center for correctional programs; for assisting and providing technical assistance to Federal, State, and local government correctional agencies; for developing training and education programs for correctional personnel; and for conducting, encouraging, and coordinating research relating to corrections, including the causes, prevention, diagnosis, and treatment of criminal offenders.

Other Coordination Initiatives

In addition to its statutory coordinating and collaborative efforts, the Department has engaged in a number of significant and productive non-statutory interagency and intraagency initiatives. These have included:

- Entering into an agreement with ACTION for the development of youth volunteer-type programs based at centers for runaway and homeless youth.
- Exploring with other DHHS agencies, including the Alcohol, Drug Abuse and Mental Health Administration (ADAMHA) and the Administration on Aging (AOA), the possibility of joint initiatives that would focus Federal resources more directly on runaway and homeless youth and other vulnerable youth.
- Establishing and maintaining a continuing dialogue with the national organizations indicated below regarding broad youth service policies, issues, needs, and plans:

  --The National Youth Work Alliance
  --The National Collaboration for Youth
  --The National Network of Runaway and Youth Services
  --The National Conference of State Legislatures
  --The Advisory Commission on Intergovernmental Relations
  --The National Board of YMCAs
  --The United Neighborhood Centers
  --The Boys Clubs of America
  --Big Brothers and Big Sisters of America
  --The Girl Scouts of America

APPENDIX

APPENDIX A - RUNAWAY AND HOMELESS YOUTH ACT GRANTEE FUNDING SOURCES FISCAL YEAR 1982

Introductory Note

The Youth Development Bureau (YDB) in the Department of Health and Human Services annually gathers and assesses information regarding the various public and voluntary sector sources which provide funds for the support of programs for runaway and homeless youth. The following information summarizes sources of grantee support analyzed by YDB from annual grantee reports which are submitted on a voluntary basis by grantees. These reports broaden YDB's information base regarding the financial operations of the programs it funds and enable YDB to make appropriate planning and management decisions which affect the Runaway and Homeless Youth Program.

The following information is based on data supplied by 148, or 96 percent, of the centers funded by YDB during Fiscal Year 1982. The following financial information provides a unique perspective on the scope and resource development initiatives of the runaway and homeless youth centers. The total operating budget amount for the reporting centers was $39,836,149. Approximately 25 percent of this amount was provided by Runaway and Homeless Youth Act funds appropriated by the Congress. Other Federal agencies provided 11 percent of the funds, bringing the Federal resources to 36 percent of the total reported. The average operating budget reported by the grantees amounted to $269,190, of which $67,163 represented the average Runaway and Homeless Youth Act grant.

State agencies provided 19 percent of the funds used to support the centers during Fiscal Year 1982; county, city and local sources accounted for 17 percent; and 15 percent represented funds donated at the local level.

The sources cited above generated 87 percent of the total operational support reported by the centers. The remaining 13 percent was provided by corporations, foundations, and private donations. The table shows the great diversity achieved by the centers in securing financial support during Fiscal Year 1982.

	Amount	Number and Percent of Grantees Using Source		Budget Percentage
FEDERAL				
YDB*: Title III	$ 9,940,197	148	(100)	25
Title XX	1,504,591	25	(17)	4
LEAA/JJDPA*	714,000	26	(18)	2
USDA*	325,000	60	(41)	1
DOL/NCAAN*	226,591	4	(3)	1
Other[1]	1,238,591	24	(17)	3
STATE				
DSS*	3,797,340	53	(53)	10
Mental Health and Corrections	354,883	6	(4)	1
Other[2]	3,191,410	37	(25)	8
COUNTY				
Revenues	1.572.577	28	(1)	1
Welfare and Mental Health	334,836	2	(19)	4
Youth Bureaus or Councils	370,156	2		1
Other[3]	557,358	12	(8)	1
CITY & LOCAL				
Revenues	1,512,042	29	(20)	4
United Way	1,430,397	58	(39)	3
Other[4]	947,779	13	(9)	3
CORPORATIONS & FOUNDATIONS	1,051,855	96	(65)	2
FEES	1,032,545	14	(9)	2
IN-KIND[5]	3,743,926	41	(28)	9
DONATIONS[6]	5,989,775	89	(60)	15
	$39,836,149			100%

YDB*= Youth Development Bureau
LEAA/JJDPA*= Law Enforcement Assistance Administration/Office of Juvenile Justice and Delinquency Prevention
USDA*= U.S. Department of Agriculture
DOL/NCCAN*= Department of Labor/National Center on Child Abuse and Neglect
DSS*= Departments of Social Services or Human Resources

Legend

Funding sources labelled as "Other" comprised seven percent of the funding, but numbered 74 different types of sources, from various levels, as described below:

1 Twenty-two additional Federal sources, each under one percent in amounts, such as $178,510 from a HHS/YDB Research and Demonstration Grant; $142,340 from the Bureau of Indian Affairs; $122,037 from the Administration for Children, Youth and Families; and $103,860 from Community Development Block Grants in the Department of Housing and Urban Development.

2 Thirty-seven additional State sources each under one percent in amounts such as $297,700 from Grants-in-Aid; $297,285 from Youth Development and Delinquency Prevention; $304,889 from Pennsylvania State Law 148; and $282,525 from State Substance Abuse.

3 Twelve additional county sources each under one percent in amounts such as $142,738 from children and youth agencies; $135,187 from juvenile courts or justice councils; $48,001 from DSO; and $47,112 from substance abuse.

4 Thirteen additional city or local sources each under one percent in amounts such as $197,531 from human resources and children agencies; $311,128 from human resources and children agencies; $197,531 from Community Chests; $157,289 from religious institutions; and $143,000 from children special services.

5 In-kind refers to such items as time donated by the centers' board of directors (almost always volunteers), the time of volunteers active in the agency, and to gifts such as clothing and other "second-hand" material donated to the centers free of charge.

6 Donations refers to contributions given anonymously, or in such small amounts as to not warrant explicit itemization, such as from parents, youth, and individuals or small groups of citizens.

APPENDIX B - LIST OF GRANTEES
RUNAWAY AND HOMELESS YOUTH ACT
FISCAL YEAR 1982

For further information on the following projects, contact:

REGION I

Administration for Children,
Youth and Families
JFK Federal Building
Boston, MA 02205
Tina Burrell
Susan Selya
(617) 223-6450

---

1. Bridge of Education Resources
90 North Main Street
West Hartford, CT 06107
Selma Lobel
(203) 521-8035

2. Youth Crisis Project
3030 Park Avenue
Bridgeport, CT 06604
Roger Floyd
(203) 374-9471

3. Greenwich Youth Shelter
105 Prospect Street
Greenwich, CT 06830
Shari Shapiro
(203) 374-9471

4. Youth Services Planning and Development Council, Inc.
P.O. Box 502
Skowhegan, ME 04976
Diana Deverell Askman
(207) 474-8311

5. New Beginnings, Inc.
RFD 1, Box 3340
Greene, ME 04236
Earle B. Simpson, Jr.
(207) 946-7272

6. Newton-Wellesley-Weston-Needham Multi-Service Center, Inc.
1301 Centre Street
Newton, MA 02159
Lowell Haynes
(617) 244-4802

7. Franklin/Hampshire Runaway Network
76 Pleasant Street
Northampton, MA 01061
Jim Reis
(413) 586-8680

8. Springfield YWCA
45 Willow Street
Springfield, MA 01103
Camille Evers
(413) 732-3121

9. Boston Bridge
23 Beacon Street
Boston, MA 02108
Barbara Whelan
(617) 227-7113

10. Youth Essential Services, Inc.
199 Harrison Avenue
Boston, MA 02111
Jane S. Leung
(617) 482-4243

11. New Hampshire Network for Runaway and Homeless Youth
P.O. Box 448
Manchester, NH 03105
A. Reed Carver
(603) 688-1920

12. New Routes Runaway Program
939 Douglas Avenue
Providence, RI 02908
Joseph Testa
(401) 831-4630

13. Washington County Youth Services Bureau
Upper Main Street, RFD 1
Montpelier, VT 05602
Tom Howard
(802) 229-9151

For further information on the following projects, contact:

REGION II

Administration for Children,
Youth and Families
26 Federal Plaza, Room 4149
New York, NY 10278
Elaine D. Williams
Estelle Haferling
(212) 264-2975

---

14. Project Youth Haven
374 Grand Street
Patterson, NJ 07501
Gail Manning
(201) 881-0280

15. Together, Inc.
103 Ellis Street
Glassboro, NJ 08028
Robert Maloney
(609) 445-7392

16. Anchor House
482 Center Street
Trenton, NJ 08611
Arthur J. Ball
(609) 261-5400

17. Crossroads Runaway Program
15 Washington Street
Mount Holly, NJ 08060
Carol Rovello
(609) 261-5400

18. Project Equinox
216 Lark Street
Albany, NY 12210
Joan Rogers
(518) 465-9524

19. Sanctuary Project
100 Main Street
Huntington, NY 11743
Andrew Casazza
(516) 351-3061

20. Center for Youth Services
258 Alexander Street
Rochester, NY 14607
Frank Petrus
(717) 473-2464

21. GLIE Community Youth Programs
2169 Grand Concourse, 7th Floor
Bronx, NY 10453
Esther Rothman
(212) 733-0333
733-0117

22. Nassau County Youth Board
One West Street
Mineola, NY 11501
Ann Irvin
(516) 535-5893

23. Covenant House
460 West 41th Street
New York, NY 10036
Mary Gretchen Gilroy
(212) 354-4323

24. Crash Pad for Runaways
315 E 10th Street
New York, NY 10002
Madeline McDonald
(212) 533-3570

25. Compass House
371 Delaware Avenue
Buffalo, NY 14209
Janell Wilson
(716) 886-1351

26. Family of Woodstock
16 Rock City Road
Woodstock, NY 12498
Barbara Jaklitsch
(914) 679-9240

27. Empire State Coalition
214 Lancaster Street
Albany, NY 12210
Linda Freeman
(518) 436-7715

28. Runaway and Homeless Youth Center
P. O. Box 25-A
Hato Rey, P.R. 00919
Manuel E. Mena
(809) 751-5020

29. San Juan Runaway Youth Program
P. O. Box BR
Rio Piedras, P.R. 00928
Modesto Cobian
(809) 763-6560

For further information on the following projects, contact:

REGION III

Administration for Children,
Youth and Families
P.O. Box 13716
3535 Market Street
Philadelphia, PA 19101
Donald Barrow
Mary Williams
(215) 596-6763

---

30. AID in Dover
801 West Division Street
Dover, DE 19901
Beverly C. Williams
(302) 678-3133

31. Sasha Bruce House
701 Maryland Avenue, N.E.
Washington, D.C. 20002
Deborah Shore
(202) 546-4900

32. Second Mile House
Queens Chapel & Queeensbury Road
Hyattsville, MD 20782
J. Serina Wiley
(301) 779-1257/8

33. Boys and Girls Homes of
Montgomery County, Inc.
9601 Colesville Road
Silver Spring, MD 20901
Steve Bradford
(301) 589-8444

34. SAYS House
P.O. Box 33088
Forestville, MD 20747
Thomas Merrick
(301) 735-8989

35. Fellowship of Lights
1300 N. Calvert Street
Baltimore, MD 21202
Ross Pologe
(301) 589-8444

36. Voyage House
311 South Juniper Street
Suite 1000
Philadelphia, PA 19107
Roberta Hacker
(215) 545-0166

37. Helpline Center
P. O. Box 284
Kulpsville, PA 19446
Richard D. McCarraher
(215) 368-4357

38. The Whale's Tale
5100 Centre Avenue
Pittsburgh, PA 15232
Christopher Smith
(412) 612-8407

39. Youth Services
410 North 34th Street
Philadelphia, PA 19104
Margaret R. Halfpenny
(215) 222-3262

40. The Bridge
15 South Franklin Street
Wilkes-Barre, PA 18701
Ronald Russo
(717) 824-5766

41. Valley Youth Homes Committee
539 8th Avenue
Bethelem, PA 18018
David Gilgoff
(215) 691-1200

42. Tabor Children's Services
601 New Britain Road
Doylestown, PA 18901
William Hausemann
(215) 368-4537

43. Alternative House
P.O. Box 637
McLean, VA 22101
Mark Lake
(703) 356-8385

44. Oasis House
1518 Willow Lawn Drive
Richmond, VA 23230
Joseph Spiedel
(804) 3[illegible]9-0079

45. Central Virginia Child
Development Association
117 4th Street, N.E.
Charlottesville, VA 22901
Johanna Perry
(804) 977-4260

46. Patchwork
1583 Lee Street, E.
Charleston, WV 25311
Jim Tatterson
(304) 344-3527

47. Southwestern CAC
540 Fifth Avenue
Huntington, WV 25701
Joan Ross
(304) 525-5151

For further information on the following projects, contact:

REGION IV

Administration for Children,
Youth and Families
101 Marietta Towers, Suite 903
Atlanta, GA. 30308
Jim Vaughn
Jim Shelton
(404) 242-2128

---

48. American National Red Cross
405 South First Street
Gadsden, AL 35901
Denny R. Brown
(205) 547-9505

49. Mobile County Community
Mental Health Services, Inc.
2400 Gordon Smith Drive
Mobile, AL 36617
William Simpson
(205) 476-3614

50. Crosswinds
P.O. Box 625
Merritt Island, FL 32952
Roger W. McDonald
(305) 452-0800/0801

51. Someplace Else
1315 Linda Ann Drive
Tallahassee, FL 32301
Diane Ringelberg
(904) 877-7993

52. Switchboard of Miami
35 8th Street, S.W.
Miami, FL 33130
Shirley Aron
(305) 358-1640

53. Alternative Human Services
P.O. Box 13087
St. Petersburg, FL 33733
Roy Miller
(813) 323-1123

54. Transient Youth Center
132 W. Ninth Street
Jacksonville, FL 32206
Tom Patania
(904) 354-0400

55. Miami Bridge
1145 N. W. 11th Street
Miami, FL 33136
Richard Moran
(305) 324-8953

56. The Bridge of Atlanta
77 Peachtree Place, N.W.
Atlanta, GA 30309
Kenneth B. Saunders
(404) 881-8344

57. The Alcove
Walton County Court House
Monroe, GA 30655
Robert Hawk
(404) 267-9235

58. Athens Regional Attention
Homes, Inc.
490 Pulaski Street
Athens, GA 30606
Kathryn G. Hasty
(404) 548-5893

59. YMCA Shelter House
1414 S. First Street
Louisville, KY 40208
W. Lawrence Woolridge
(502) 637-6480

60. Friends of Children
Mile High Youth Center
Route 5, Box 1
Waynesboro, MS 39367
Marvin Hogan
(601) 362-1541

61. The Relatives
1000 East Boulevard
Charlotte, NC 28203
Elaine Thomas
(704) 377-0602

62. Youth Care
P. O. Box 3427
Greenboro, NC 27402
Charles Hodierne
(919) 378-9109

63. Haven House
1033 Wade Avenue, Suite 207
Raleigh, NC 27605
Cynthia Coley
(919) 755-6368

64. South Carolina Department of
Youth Services Administration
P.O. Box 7367
Columbia, SC 29202
William Stanton
(803) 758-0268

65. The Family Link
P.O. Box 40437
Memphis, TN 38104
William Myers
(901) 276-1745

66. Oasis House
P.O. Box 120655
Nashville, TN 37212
Della Hughes
(615) 327-4455

67. Child and Family Service
114 Cameron Avenue
Knoxville, TN 37917
Larry R. Feezel
(615) 524-7483

For further information on the following projects, contact:

REGION V

Administration for Children,
Youth and Families
300 South Wacker Drive, 13th Floor
Chicago, IL 60606
Thelma Thompson
Katie Williams
(312) 353-8065

---

68. Youth Network Council
1123 W. Washington Boulevard
Chicago, IL 60607
Arnold Sherman
(312) 226-1200

69. Central Illinois Youth
Service Bureau
#4 North Old Capitol Plaza
Springfield, IL 62704
Kaywin Davis
(217) 753-8300

70. Roundhouse
307 West University Avenue
Champaign, IL 61820
Joseph Simmons
(217) 359-8815

71. New Life House
1025 W. Sunnyside
Chicago, IL 60640
David Dalberg
(312) 271-6192

72. Connection House
217 North Roosevelt
Bloomington, IL 61701
Donald Wheeler
(309) 829-9476

73. Switchboard
316 West Creighton
Fort Wayne, IN 46807
Mike Lynch
(219) 456-4561

74. Stopover
445 North Penn Street
Indianapolis, Indiana 46204
Carol Schwab
(317) 635-9301

75. Alternative House
215 North Grand Boulevard
Gary, IN 46403
Shirley Caylor
(219) 980-4207

76. Youth Service Bureau
2222 Lincolnway West
South Bend, IN 46628
Bonnie Strycker
(219) 284-9231

77. Detroit Transit Alternative
680 Virginia Park
Detroit, MI 48202
I. Roy Jones
(313) 869-4040

78. The Link
2002 South State Street
St. Joseph, MI 49085
Polly Learned
(616) 983-6351

79. Ozone House
608 North Main Street
Ann Arbor, MI 48104
Al Clegg
(313) 662-2265

80. Cory Place
812 North Jefferson
Bay City, MI 48706
Christopher Card
(517) 895-5563

81. North East Michigan Community
Services Agency, Rainbow
P.O. Box 1038
Alpena, MI 49707
John Swise
(517) 356-3474

82. Equal Ground
415 Park Lane
East Lansing, MI 48823
Becky Hollingsworth
(517) 337-1611

83. The Bridge of Minneapolis
2200 Emerson Avenue, South
Minneapolis, MN 55405
Raeone Buckman-Ellis
(612) 377-8800

84. Evergreen House
921 Minnesota Avenue
Bemidji, MN 56601
Ray Leinbach
(218) 751-4332

85. Connecting Point
3301 Collingwood Boulevard
Toledo, OH 43610
Hal Jenks
(419) 243-1001

86. Huckleberry House Inc.
1421 Hamlet Street
Columbus, OH 43201
W. Douglas McCoard
(614) 294-5553

87. New Life Youth Services
Lighthouse
P.O. Box 27035
Cincinnati, OH 45220
Robert Mecum
(513) 561-0100

88. Safe Space Station
12321 Euclid Avenue
Cleveland, OH 44016
W. Martin Hiller
(216) 421-2000

89. Daybreak I
819 Wayne Avenue
Dayton, OH 45410
Richard Weaver
(513) 461-1000

90. Safe Landing
39 West Cuyahoga Falls Avenue
Akron, OH 44310
David E. Fair
(216) 376-4200

91. Daybreak II
21 Indiana Avenue
Youngstown, OH 44505
Gerald Janoski
(216) 782-5664

92. Briarpatch, Inc.
128 South Hancock
Madison, WI 53703
Renard Svanoe
(608) 251-1126

93. Walker's Point
732 South 21st Street
Milwaukee, WI 53204
Richard Ward
(414) 647-8200

94. Pathfinders
1428 North Farwell Avenue
Milwaukee, WI 52302
Terry Rybold
(414) 271-2565

95. Racine Runaway
1331 Center Street
Racine, WI 53403
James Brennan
(414) 632-0424

For further information on the following projects, contact:

REGION VI

Administration for Children,
Youth and Families
1200 Main Tower Building, 20th Floo
Dallas, TX 75202
Mr. Pat Murphy
Mr. Jerry Mabe
(214) 729-6596

---

96. Zion Youth Shelters, Inc.
P.O. Box 441
Van Buren, AR 72959
Edward Wilcox
(501) 632-4618

97. Stepping Stone, Inc.
3500 South University
Little Rock, AR 72204
Cynthia Barnett
(501) 562-1809

98. The Greenhouse
700 Frenchmen Street
New Orleans, LA 70116
Linda Irwin
(504) 949-9248

99. Tangipahoa Youth Service
411 W. Coleman Avenue
Hammond, LA 70401
Jeanne Voorhees
(504) 345-1171

100. New Day Inc.
1817 Sigma Chi NE
Alburquerque, NM 87106
Jeffrey Burrows
(505) 247-9557

101. Youth Service Center
319 North Grand Avenue
Enid, OK 73701
Charles Wolsey
(405) 233-7220

102. Youth Services Center for
Oklahoma County, Inc.
1219 N. Classen Boulevard
Oklahoma City, OK 73106
Douglas M. Gibson
(405) 235-7537

103. Cherokee Nation of Oklahoma
P.O. Box 948
Tahlequah, OK 74464
Gwen Grayson
(918) 456-0671 Ext 231

104. Youth Shelter of Galveston
2901 Broadway
Galveston, TX 77550
Jimmie Baranowski
(713) 763-8861

105. Casa de los Amigos
601 N. Akard Street
Dallas, TX 75202
Terry Peal
(214) 742-5324

106. Houston Metropolitan Ministries
2001 Hildy Street
Houston, TX 77009
Steven C. Wick
(713) 522-8218

107. Middle Earth Unlimited
P.O. Box 6503
Austin, TX 78762
Larry G. Waterhouse
(512) 441-1065

108. Project Option
P.O. Box 185
Killeen, TX 76540
I. William Cox
(817) 634-2085

109. Youth Alternatives, Inc.
606 Wilson Boulevard
San Antonio, TX 78228
Ray Mass
(512) 735-9291

110. Catholic Family Services, Inc.
1522 S. Van Buren
Amarillo, TX 79101
Martha Loudder
(806) 376-4571

111. Sand Dollar
310 Branard
Houston, TX 77006
Roger La Follette
(713) 529-3053

112. Denton Area Crisis Center
Youth Services Center
1302 West Oak
Denton, TX 76201
Rowland C. Harvey
(817) 566-5100

113. The Bridge Association, Inc.
SPRUCE
1601 8th Avenue
Fort Worth, TX 76104
Jan Viles
(817) 926-9184

114. Association for the Advancement
of Mexican-Americans
204 Clifton
Houston, TX 77011
Gloria Guardiola
(713) 926-9491

For further information on the following projects, contact:

REGION VII

Administration for Children,
Youth and Families
Federal Office Building, Room 384
601 East 12th Street
Kansas City, MO 64106
Robert Fain
(816) 758-5401

---

115. Foundation II
1627 First Avenue, S.E.
Cedar Rapids, IA 52403
Kent Jackson
(319) 362-2174

116. The Christian Home Association
500 E. Seventh Street
Council Bluff, IA 51502
Gary Grenier
(712) 325-1907

117. Wyandotte House
825 North 7th Street
Kansas City, KS 66101
Betty Crooker
(913) 342-5121

118. Greater Kansas City YMCA
4200 West 79th Street
Prairie Village, KS 66208
Charles M. Law
(816) 474-9101

119. Synergy House
P.O. Box 12181
Parkville, MO 64152
Dixie Painter
(816) 742-8700

120. Youth Emergency Services
6816 Washington Avenue
University City, MO 63130
Judy Pierson
(314) 862-1334

121. Youth in Need
529 Jefferson Avenue
St. Charles, MO 63301
Sue Schneider
(314) 724-7171

122. Front Door
707 North Eight Street
Columbia, MO 65201
Kenneth Jacob
(314) 874-8686

123. Lancaster Freeway Station
2201 South 11th Street
Lincoln, NE 68502
Jim Arnot
(402) 475-3040

124. Youth Emergency Services, Inc.
1908 Hancock
Bellvue, NE 68005
Mary Anne Smolko
(412) 291-8000/8303

For further information on the following projects, contact:

REGION VIII

Administration for Children,
Youth and Families
Federal Office Building, Room 1194
1961 Stout Street
Denver, CO 80294
Jan Mathieu
Juan Cordova
(303-837-3106

---

125. Volunteers of America
1865 Larimer Street
Denver, CO 80218
Dianna Kunz
(303) 623-0408

126. Youth Life Campaign
821 North Cascade
Colorado Springs, CO 80903
George Sheffer, III
(303) 471-0642

127. Gemini House
3670 Upham Street
Wheat Ridge, CO 80033
Paul Kelly
(303) 425-4002

128. COMITIS
P.O. Box 913
Aurora, CO 80040
R. E. Barnhill
(303) 341-9160

129. Chipeta House
P.O. Box 1118
Grand Junction, CO 81502
Margaret Long
(303) 241-8480

130. Mountain Plains Youth
Services Coalition
Attention, Inc.
602 North Ewing
Helena, MT 59601
Lynda Wood
(406) 443-4186

131. Mountain Plains Youth
Services Coalition
Charles Hall Youth Services
P.O. Box 1995
Bismarck, ND 58502
Jeff Hanson
(701) 225-2773

132. Mountain Plains Youth Coalition
P.O. Box 1242
Pierre, SD 57501
Doug Herzog
(605) 224-8696

133. Department of Social Services
150 West North Temple
Salt Lake City, UT 84103
Sally Ann Brown
(801) 533-7139

134. Mountain Plains Youth
Services Coalition
Project Youth
330 North Main
Sheridan, WY
Nancy Michael
(307) 762-6736

135. Attention Home, Inc.
1810 Van Lennen Avenue
Cheyenne, WY 82001
Tricia Crilly
(307) 632-4740

For further information on the following projects, contact:

REGION IX

Administration for Children,
Youth and Families
Federal Office Bldg, Rm 479
50 United Nations Plaza
San Francisco, CA 94102
Roy Fleischer
(415) 556-6178

---

136. Center for Youth Resources
309 West Portland
Phoenix, AZ 85003
Michael Garvey
(612) 271-9849

137. Open-Inn
2231 North Indiana Ruins Road
Suite #4
Tucson, AZ 58715
Darlene Dankowski
(602) 296-5437

138. San Diego Youth & Community
Services
1214 23th Street
San Diego, CA 92102
Liz Goldsmith
(714) 232-5156

139. Interface Community
3475 Old Conejo Road
Newbury Park, CA 91320
Kate McLean
(805) 498-6643

140. Youth Advocates, Inc.
Nine Grove Lane
San Anselmo, CA 94960
Susan Scott
(415) 453-5200

141. Diogenes Youth Services
1615 Fifth Street, Suite A
Davis, CA 95616
Mark Sussman
(916) 756-5666

142. Odyssey
204 East Amerige
Fullerton, CA 92632
Ken Parker
(714) 871-9365

143. Youth Advocates, Inc.
1292 Page Street
San Francisco, CA 94117
Veronica Reed
(415) 621-2929

144. Tahoe Youth Services
P.O. Box 848
South Lake Tahoe, CA 95705
Jerry Ortiz
(916) 541-2445

145. Youth and Family Center
1752 Tehama Street
Redding, CA 96001
Phil Paulsen
(916) 244-6226

146. Santa Cruz Community
Counseling Center
526 Sosquel Avenue
Santa Cruz, CA 95062
Terry Moriarty
(408) 425-0771

147. Berkeley Youth Alt.
2141 Bonar Street
Berkeley, CA 94702
Ed Clarke
(415) 849-1402

148. Project 1736
1818 Monterey Boulevard
Hermosa Beach, CA 90254
Darlene Coleman
(213) 372-5843

149. Casa de Bienvenidos
10911 Reagan Street
Los Alamitos, CA 90720
Guadalupe Maldonado
(714) 995-8601
(213) 594-6825

150. Diogenes Youth Services
9097 Tuolumne Drive
Sacramento, CA 95826
Lynette Towers
(916) 363-9943

151. Klein Bottle
1311 Anacapa Street
Santa Barbara, CA 93101
Ed Patterson
(805) 963-8775

152. Western States Youth Services
1713 J Street, Suite 301
Sacramento, CA 95814
Nancy Sefchek
(916) 443-6115

153. Individuals Now
1303 College Avenue
Santa Rosa, CA 95404
Mark Amy
(707) 544-3299

154. Hollywood Community
Services Program
Options House
2471 N. Beachwood Drive
Hollywood, CA 90068
Luba Elman
(213) 467-8466

155. Stepping Stone
1833 18th Street
Santa Monica, CA 90404
Stephine Tainsky
(213) 450-7839

156. Hawaii Youth Shelter Network
2006 McKinley Street
Honolulu, HI 96822
Samuel Cox
(808) 946-3635

157. Foster Youth Services,
480 Galletti Way
Building #12
Reno, NV 89512
Debbie Kennedy
(702) 323-6296

For further information on the following projects, contact:

REGION X

Administration for Children,
Youth and Families
1321 Second Avenue
MS #811, Arcade Plaza Building
Seattle, WA 98101
Ronald Mowry
(216) 442-0838

158.Family Connection
204 E. 5 Avenue, Suite 215
Anchorage, AK 99501
Jerry Kirk-Kaplan
(907) 279-0551

159. Bannock Youth Foundation
P.O. Box 2072
Pocatello, ID 83201
Steve Mead
(208) 234-2244

160.Looking Glass
c/o 1177 Pearl
Eugene, OR 97401
Galen Phipps
(503) 689-3111

161. Harry's Mother
1942 N.W. Kearney
Portland, OR 97209
Dennis Morrow
(503) 223-6145

162.The Shelter
1545 12th Avenue, South
Seattle, WA 98144
Linda Reppond
(206) 328-0902

163. Northwest Youth Services
P.O. Box 1449
Bellingham, WA 98225
Eli Dotson
(206) 676-1022

164.Skagit
P.O. Box 217
Mount Vernon, WA 98273
Jim Shoop
(206) 755-9132

165. Catholic Community
Services Northwest
2806 Douglas Avenue
Bellingham, WA 98225
Earl Denglemaier
(206) 733-5800

166.Blaine Family and Youth Center
P.O. Box 1365
Blaine, WA 98230
Ruth Green
(206) 332-5055

ADDITIONAL TITLE III GRANTEES

National Conference of State Legislatures
1125 17th Street, #1500
Denver, Colorado 80202
Michelle Magri
(303 623-6600

National Runaway Switchboard
2210 North Halsted
Chicago, Illinois 60614
Cynthia Meyers
(312) 929-5854

APPENDIX C - COMPARATIVE ANALYSIS OF CLIENT DATA BETWEEN FISCAL YEARS 1978 AND 1981

In 1978 approximately 30,000 youth were served by 166 centers funded as of September 30, 1978. Information from these centers provides an historical base of comparison for the FY 1981 data contained in this Appendix. The number of youth served* in FY 1981 by 127 of the 169 centers was 3[illegible],832.

The following questions and answers provide some insight into programmatic changes during these periods:

---

*As reported on the Information Collection and Research Evaluation (ICARE) Form - The 42 new grantees were not required to report in FY 1981.

These figures fluctuate based on a competitive review process, changing program requirements, and the formula for the allocation of funds stipulated in the Title III legislation.

Question 1:	How many programs existed for runaway and homeless youth nationwide?
Answer:	The number of programs funded by Title III of the Runaway and Homeless Youth Act (as amended) are shown below.

Table 1
Title III Program Distribution
Number of Programs

Region	FY 1978	%	FY 1981	%
I (MA, VT, CT, ME, NH, RI)	11	6.63	13	7.70
II (NY, NJ, PR, VI)	15	9.04	16	9.47
III (PA, DE, DC, MD, VA, WV)	16	9.64	19	11.25
IV (AL, FL, GA, KY, MS, NC, SC, TN)	21	12.64	20	11.83
V (IL, IN, MN, OH, WI, MI)	31	18.65	28	16.25
VI (AR, LA, NM, OK, TX)	17	10.24	20	11.83
VII (IA, KS, MO NE)	10	6.03	10	5.92
VIII (CO, MT, ND, SD, UT, WY)	11	6.63	12	7.10
IX (AZ, CA, HI, NV, GU, AS, TT)	22	13.26	22	13.02
X (AK, ID, OR, WA)	12	7.23	9	5.33
	166	100.00	169	100.00

Question 2: How many youth were served by these programs?

Answer: The number of youth served by programs in a particular region were not proportional to the number of programs in that region. This can be seen by comparing the data in Table 2 (below) with the information shown in Table 1.

Table 2
Number of Youth Served

Region	FY 1978	%	FY 1981	%
I	1,308	4.59	1,999	5.77
II	2,296	8.05	3,290	9.50
III	2,917	10.23	2,634	7.60
IV	5,429	19.03	4,930	14.23
V	5,678	19.90	7,552	21.74
VI	3,148	11.03	4,514	13.03
VII	1,459	5.12	1,529	4.42
VIII	1,187	4.16	1,856	5.36
IX	4,238	14.85	4,781	13.80
X	879	3.08	1,577	4.55
	28,539*	100.00	34,662**	100.00

---

* Approximate - 30,178 forms were received for processing, but nearly 5.4% were not included in the master data file. Hence, this is a conservative figure on the number of youth served.

**Approximate - subject to adjustment. Total youth served by 127 centers were 35,832 but not all data were allocated by Region. Also, the 42 new grantees were not required to report in FY 1981.

Question 3:	What was the difference in service usage by runaway and homeless males and females?
Answer:	Our data indicate a decrease of nearly three percent in the proportion of females who were served by our programs.

Table 3
Sex Distribution of Youth Served

	FY 1978 N=28,539	FY 1981 N=35,832	Change
Male	40.6%	43.3%	+2.7
Female	59.4	56.7	-2.7
	100.0%	100.0%	

Question 4:	What were the racial/ethnic backgrounds of the runaway and homeless youth served by the Title III programs?
Answer:	The information in Table 4 below provides the percentage distributions for the racial/ethnic backgrounds of the runaway and homeless youth served by the centers. The data indicate there was an increase in the proportion of racial/ethnic minority youth served.

Table 4
Racial/Ethnic Distribution

	FY 1978 N=28,539	FY 1981 N=35,832	Change
White (Not of Hispanic origin)	74.0%	70.0%	-4.0%
Black (Not of Hispanic origin)	15.5	18.7	+3.2
Hispanic	6.0	7.2	+1.2
American Indian/Alaskan Native	2.0	1.8	- .2
Asian/Pacific Islander	1.0	1.5	+ .5
Not Indicated in File	1.5	0.8	- .7
	100.0%	100.0%	

Question 5: What were the racial/ethnic backgrounds of the male and female runaway and homeless youth served by the Title III programs?

Answer: The information in Table 5 below indicates that there was considerable variation in the percentage distribution of youth served by gender between the various racial/ethnic background categories. The white youth who were served were predominantly females. This is much less the case for black and Hispanic youth who were served.

Table 5
Sex Distribution of Youth Served
by Racial/Ethnic Background
FY 1981
N=35,832

	Male	Female	Female/Male Ratio
White (not of Hispanic origin)	29.4%	40.6%	1.38
Black (not of Hispanic origin)	8.9	9.8	1.10
Hispanic	3.4	3.8	1.12
American Indian/Alaskan Native	.8	1.0	1.25
Asian/Pacific Islander	.5	1.0	2.00
Not Indicated In File	.3	0.5	1.67
Total (See Table 3)	43.3%	56.7%	

Question 6: What was the status of the youth when he or she came to the shelter?

Answer: The national distribution of youth types served indicated a substantial increase in the percentage and number of homeless youth over FY 1978. This was particularly significant because the needs of these youth for services focused on independent living instead of services to reunite them with their families (which is often the case for runaways).

Table 6
National Distribution of
Youth Types

	FY 1978 N=28,539	FY 1981 N=35,832	Change
Runaways	45.2%	40.2%	-5.0%
Otherwise Homeless*	27.6	34.5	+6.9
Experiencing crisis but not running away	19.3	20.5	+1.2
Potential runaway	3.4	4.5	+1.1
Other	4.5	0.3	-4.2
	100.0%	100.0%	

---

* left home by mutual agreement, pushed out, homeless

Question 7: How old were the runaway and homeless youth served by the shelters?

Answer: Our FY 1981 data indicated that the greatest number of youth served were 15 and 16 years old. This is consistent with the FY 1978 data. We also noted that for some ages (13, 14, 15), females outnumbered males.

Table 7
Age and Sex Distribution of
Youth Served
FY 1981
N=35,832

	Male	Female	Female/Male Ratio
Age 12 yrs and under	3.0%	2.8%	.93
13	3.6	5.7	1.58
14	6.3	11.1	1.76
15	8.9	14.0	1.57
16	10.5	13.3	1.27
17	9.8	8.5	.87
Age 18 yrs and older	1.2	1.3	1.08
Total	43.3%	56.7%	1.31

Question 8: Where was the geographic residence of these runaway and homeless youth in relation to the project?

Answer: The data indicate that for those youth who are served by the Title III projects, nearly 10 percent are from a different State, and that an addtional 16 percent of the youth served resided in the same State as the project but not the same county as the project.

Table 8
Residence of Youth Served
N=35,832

	FY 1981
Same location as project	36.6%
Same county as project	33.5
Same state as project	16.0
Different state than project	9.7
Not indicated in file	2.1
Other	2.1
Total	100.0%

Question 9: Was shelter provided more often to female youth who are runaways or homeless?

Answer: Our current data (Table 9a) indicate that for youth receiving services from our projects, nearly 20 percent more females are not provided shelter than male youth. In every age category female youth are not provided shelter more often than males (Table 9b).

Table 9a
Provision of Shelter by Sex
FY 1981

	Number of Youth Served			
	Male	Female	Total	Percent
No Shelter Provided	3,432	5,035	8,467	23.6%
Shelter Provided	12,092	15,273	27,365	76.4
Total	15,524	20,308	35,832	100.0%

Table 9b
Number of Youth Served Where There Was No Provision of Shelter by Age
FY 1981

No Shelter Provided
(N=8,467)

	Male		Female	
Age 12 and Under	436	5.1%	437	5.2%
13	314	3.7	500	5.9
14	514	6.1	926	10.9
15	653	7.7	1,112	13.1
16	729	8.6	1,150	13.6
17	615	7.3	706	8.3
Age 18 and Over	171	2.0	204	2.4
Total	3,432	40.5%	5,035	59.5%

Question 10: What was the living situation in which these youth spent the most time during the past year?

Answer: The data indicate a decrease in the number of youth served who resided with their parents or legal guardian and an increase in living situations involving a relative's home, a friend's home or a foster home.

Table 10
Living Situation of Youth Served at Time of Service Request

	FY 1978 N=28,539	FY 1981 N=35,832
Home with parents or legal guardian	82.4%	77.5%
Relative's home	3.0	3.9
Friend's home	0.9	2.0
Foster home	4.1	4.4
Other	9.6	12.2
	100.0%	100.0%

Question 11:	What percentage of the youth served are returned to the same living situation that existed at the time of intake?
Answer:	Over 40 percent of the youth served are not returned to their same living situation that existed at the time of intake.

Table 11a
Youth Served Who Return to Former Living Situation
FY 1981

	Male	Female	Percent N=35,832
Youth who do not return	6,761	7,872	40.8%
Youth which do return	7,759	11,095	52.6
Not indicated in file	670	928	4.5
No response	334	413	2.1
	15,524	20,308	100.0%

For those youth who do not go back to their living situation (40.8 percent), it is important to examine where these runaway and homeless youth planned to go. It is of particular concern that a significant number of these youth plan to live on the run/street.

Table 11b
Plans of Youth Not Returning To Their Former Living Situation
FY 1981

	Male	Female	Percent N=35,832
Home of parents or guardian	475	571	2.9%
Relative's home	708	1,100	5.0
Friend's home	483	837	3.7
Foster home	700	864	4.4
On the run/street	1,373	1,723	8.6
Group home	904	884	5.0
Other	2,118	1,892	12.2
	6,761	7,872	40.8%

---

*individual categories all less than 2%

Question 12:	What were the primary problems experienced by the runaway and homeless youth which caused them to seek services from the projects?
Answer:	The most frequent problems cited by youth served at YDB projects are shown in Table 12 below. These data indicate that poor communication with parents remains a major (increasing) issue. It is also important to note that health problems (pregnancy, venereal disease, alcohol or other health issues) were cited in FY 1981 in a total of 8.5 percent of the responses.

Table 12
Reasons for Seeking Services*

	FY 1978 N=28,539	FY 1981 N=35,832
Poor communication with parents	51.8%	56.6%
Parents too strict	34.0	33.6
Truancy	17.9	18.7
Pushed out	14.7	15.2
Poor self Image	Not avail.	23.2
Parent emotionally neglects or rejects youth	14.9	16.8

---

*Note: Multiple responses permitted for each youth

Question 13:	What services were provided to these runaway and homeless youth by the projects or through project staff referrals to other service providers?
Answer:	It is interesting to note that the service mix is relatively constant for the two fiscal years shown below. The actual number of services provided represents an increase due to the increased number of youth served.

Table 13
Distribution of Services
Rendered to Youth

	FY 1978 N=28,539	FY 1981 N=35,832
Individual counseling	94.4%	87.5%
Group counseling	43.7	45.3
Family counseling	44.2	40.9
Medical services	13.4	12.6
Psychological or psychiatric services	5.0	3.0
Legal services	4.6	3.6
Educational services	8.6	11.2
Transportation services	26.9	26.5
Employment services	4.9	3.9
Recreation services	Not avail.	34.3
Living arrangements	18.2	13.3

Question 14:	How has the profile of the youth served by YDB projects changed over time?
Answer:	Information generated by the YDB projects indicated that the general profile of youth served has remained constant. Specific areas (such as race/ethnic origin) have changed as indicated in prior tables.

Table 14
Profile of Youth Served

	FY 1978 N=28,539	FY 1981 N=35,832
Youth Type - runaway	45.2%	40.2%
Sex - Female	59.4	56.7
Age - 16 years	25.0	23.8
Race/Ethnic Origin - white, not of Hispanic Origin	74.0	70.0
Living situation (Prior to services) - Home with parents or legal guardian	82.4	77.5
Reason for seeking service - poor communication with parents	51.8	56.6
Services received		
shelter	81.1	76.4
individual counseling	94.4	87.5

Major Findings

Important findings in this report relate to: (a) increased services to minority youth; (b) the dominant service needs of female youth, especially among white youth; (c) the noticable increase in homeless youth being served; (d) the dominant service needs of females 13, 14 and 15 years old; (e) the within State/out-of-State residence issues; (f) the extensive number of females not provided shelter who are 14, 15 and 16 years old; (g) the large number of youth who plan to return to the street; and (h) the continuing major problem that youth are experiencing in communicating with their parents.

APPENDIX D - SOURCES OF INFORMATION AND DATA

DHHS used the sources listed below in preparing the Fiscal Year 1982 Annual Report to the Congress. Since the initial passage of the Runaway Youth Act in 1974, the information base has increased substantially.

- The YDB Management Information System--Client and Service Data.
- United States General Accounting Office--Statement of Eleanor Chelminsky, Director, Institute for Program Evaluation. Testimony given to House Subcommittee on Human Resources, U.S. House of Representatives' Committee on Education and Labor. May, 1982
- *The National Runaway Youth Program: Clients, Services and Outcomes*--Secondary analysis of data compiled on the clients served by the Runaway Youth Act funded projects--Berkeley Planning Associates, January 1982.
- *Annual Reports to the Congress for the Runaway and Homeless Youth Program*--DHHS--Fiscal Years 1980 and 1981.
- Fiscal Year 1982 Grantee, Regional Office, Contractor and Coordinated Network Initiative Reports.
- National Communications System--*Annual Reports*--1980, 1981, 1982.
- *Homeless Youth: The Saga of Pushouts and Throwaways in America*--Senate Subcommittee on the Constitution, Committee on the Judiciary, United States Senate.
- *State Legislative Reports*--National Conference of State Legislatures:

  Vol. 7, No. 2, *Runaway Youth: Government Response to a Serious National Problem*. May, 1982

  Vol. 7, No. 6, *Status Offenders: Issues in Juvenile Justice*. 1982

  Vol. 7, No. 8, *Youth Alcohol Abuse*. 1982
- *Testimony*--Clarence E. Hodges, Commissioner, Administration for Children, Youth and Families. House Oversight Subcommittee on Human Resources, May 5, 1982. Senate Oversight Subcommittee on Juvenile Justice, July 22, 1982.
- *The Legal Status of Adolescents*--Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services. (1981)

- Report of the Attorney General's Task Force on Violent Crime--Department of Justice. 1982
- Fifth Annual Analysis and Evaluation of Federal Juvenile Delinquency Programs--Department of Justice, Coordinating Council on Juvenile Justice and Delinquency Prevention. 1982
- Program Announcements--Notice of Financial Assistance Available--DHHS, (11-82), Justice, (2-82), ACTION, (9-82), Youth Services Programs.
- Federal Coordinating Council Work Plan and Priorities -- Federal Register, March 1982, Department of Justice.
- National Academy of Sciences--Institutionalization and Deinstitutionalization of Status Offenders, Department of Justice, 1982.
- Annual Report--National Institute of Corrections -- Department of Justice, January, 1983
- Final Report--The Provision of Technical Assistance and Short-Term Training to the Runaway and Homeless Youth Act Funded Programs. Aurora Associates, Inc., Washington, D.C., March 31, 1982.

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

[illegible] 1983 AUG 02 1983

The Honorable Ike Andrews
Chairman
Subcommittee on Human Resources
Committee on Education and Labor
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter regarding certain personnel changes undertaken within the Office of Human Development Services (OHDS). Decisions affecting the assignment of staff within OHDS or in any of the other Operating Divisions of the Department, are usually made by Heads of those organizations or by their subordinate managers. In this instance, the actions were initiated and approved within OHDS. The Assistant Secretary for Personnel Administration did review the actions and found them to be in compliance with civil service rules and regulations.

As you may be aware, OHDS has undergone significant changes over the past eighteen months due to budget and staff cutbacks and experienced a reduction-in-force (RIF) in January 1982. In almost all occasions when an organization undergoes RIF there is a need to review the utilization of its remaining staff to assure that there is a proper allocation of staff resources and talents in order to manage current workload.

In order to offset the overall reduction in staff resource capability, it is also frequently necessary to make staff adjustments to foster individual development and the diversification of staff capability. I am advised that the staff moves taken within OHDS were for just such purposes. In addition, three employees were affected by RIF and although they were entitled to retained grade and salary were occupying positions of lesser responsibility. These three have been assigned through promotion or detail to positions more in line with their background, experience and salary level.

Page 2 - The Honorable Ike Andrews

I appreciate your interest and concern that these staff changes not reduce the capacity of OHDS to administer the programs it is called upon to manage. I have been assured that no adverse program impact is apparent or anticipated as a result of the changes. It is more likely that the management of some programs will be improved as a result of the staff deployment. A table covering the specific moves that interest you is enclosed.

You may be assured of my continuing concern for the effective and efficient implementation of the programs administered by OHDS.

Sincerely,

Margaret M. Heckler

Margaret M. Heckler
Secretary

Enclosure

EMPLOYEE	GRADE	PREVIOUS ASSIGNMENT	NEW ASSIGNMENT	DATE	CIVIL SERVICE STATUS	*BACKGROUND
Dominic Mastrapasqua	GM-13	Detailed to Acting Director, Office of State and Community Affairs, ACYF; on Retained Grade at GS-15	Detailed to Acting Executive Director, PCMR	04-03-83	Competitive	Government Service: 17 years; HHS: 14 years HDS: 10 years Sociologist background
Joan Steward	GM-14	Supervisory Equal Employment Opportunity Specialist	Equal Employment Manager	05-29-83	Competitive	Government Service: 13 years; HDS: 6 years EEO background
Darryl Summers	GS-13	Youth, Development Program Specialist, Youth Development Bureau, Division of Runaway Youth Programs	Supervisory Youth Development Program Specialist, Youth Development Bureau Division of Runaway Youth Programs	05-15-83	Competitive	Government Service: 8 years; HDS: 7 years (Youth Development Bureau) Human Development background
Patricia Wood	GM-13	Special Assistant, Administration for Native Americans	Special Projects Coordinator	04-15-83	Competitive	Government Service: 5 years; HDS: 4 years; Public Information/Affairs background

* Civil Service status did not change with new assignment.

EMPLOYEE	GRADE	PREVIOUS ASSIGNMENT	NEW ASSIGNMENT	DATE	CIVIL SERVICE STATUS	* BACKGROUND
Enid Borden	GS-14	Detailed from NY Regional Office;	Acting Director, OPA	04-18-83	Schedule C	
Johnnie Brooks	GM-14	Program Analysis Officer, Office of Program Coordination and Review; on Retained Grade at GM-15	Deputy Associate Commissioner, Administration for Children, Youth and Families, Office of Services for Children and Youth	04-24-83	Competitive	Government Service: 19 years; HDS: 6 years; Social Services Administration background
Caroline Croft	GM-13	Supervisory Youth Development Specialist	Aging Program Specialist	04-10-83	Competitive	Government Service: 4 years; HDS: 4 years; Sociologist background
Bernice Harris	GM-13	Supervisory Grants Management Specialist	Detailed to Administration for Native Americans	04-03-83	Competitive	Government Service: 24 years; HDS: 8 years; Grants background
Janet Hartnett	GS-12	Program Analyst; on Retained Grade at GM-14	Program Analyst--Action has not been processed to make her Acting Director, Division of Policy Coordination, OPCR because functional statements have not been approved. Until approval of functional statements, she will probably be detailed to that position.		Competitive	Government Service: 11 years; HDS: 6 years; Social Work, Social Services Administration

* Civil service status did not change with new assignment.

BY THE U.S. GENERAL ACCOUNTING OFFICE

Report To The Chairman, Subcommittee On Human Resources, Committee On Education And Labor House Of Representatives

Better Monitoring And Recordkeeping Systems Needed To Accurately Account For Juvenile Justice Practices

The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, authorizes the Office of Juvenile Justice and Delinquency Prevention to provide federal resources, leadership, and assistance to state and local governments and private organizations in conducting juvenile justice and juvenile delinquency programs. This report consists of testimony discussing state monitoring efforts and progress made under 10 of the act's objectives.

GAO found that the Office does not ensure that states verify the accuracy of data in their monitoring reports which each state must submit to demonstrate its progress under the act. Therefore, the Office cannot be assured it has reliable data to properly gauge the progress being made. This report contains examples of inaccurate or incomplete data upon which monitoring reports are based. Under 10 of the act's objectives GAO evaluated, GAO found indications that some progress had been achieved. However, a definitive basis for determining the overall extent of the progress for any individual objective could not be made because sufficient data were not available.

GAO/GGD-84-85
JULY 9, 1984

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

B-202245

The Honorable Ike F. Andrews
Chairman, Subcommittee on Human
  Resources
Committee on Education and Labor
House of Representatives

Dear Mr. Chairman:

This report is the last in a series of reports which addressed the nine concerns in your April 29, 1983, request concerning the manner in which the Office of Juvenile Justice and Delinquency Prevention, Department of Justice, is implementing the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.). In response to two of your concerns, this report discusses the Office's program to evaluate state monitoring reports and makes observations concerning progress made under 10 of the act's objectives. Reports which discuss the other seven issues have been issued and are annotated in appendix I.

This report consists of the statement given before your Subcommittee on March 7, 1984. The statement presented our observations that state monitoring reports cannot be considered as sufficiently valid and reliable to measure overall progress in meeting the act's objectives and that some progress has been made under 10 of the act's objectives. After completing a more detailed analysis of questionnaire responses from juvenile justice officials and other data we collected, our observations remain the same.

As arranged with your office, copies of this report are being sent to the Attorney General; the Director, Office of Management and Budget; and other congressional committees having a jurisdictional interest in the juvenile justice area. Additionally, we will make copies available to others upon request.

Sincerely yours,

W. J. Anderson

William J. Anderson
Director

UNITED STATES GENERAL ACCOUNTING OFFICE
Washington, D.C. 20548

FOR RELEASE DURING HEARINGS
SCHEDULED FOR MARCH 7, 1984

STATEMENT OF

ARNOLD P. JONES

SENIOR ASSOCIATE DIRECTOR

GENERAL GOVERNMENT DIVISION

ON

FEDERAL JUVENILE JUSTICE ACCOMPLISHMENTS

BEFORE THE

SUBCOMMITTEE ON HUMAN RESOURCES

HOUSE COMMITTEE ON EDUCATION AND LABOR

Mr. Chairman and members of the subcommittee, we appreciate the opportunity to testify before you today on our preliminary observations concerning the Office of Juvenile Justice and Delinquency Prevention's program to evaluate state monitoring reports and the administration's statements that the objectives of the Juvenile Justice and Delinquency Prevention Act of 1974 have been largely accomplished. In response to your April 29, 1983, request we expect to issue a report to you later this year.

The act was established with several basic objectives. Three of these objectives have been cited by the Department of Justice as key. They are (1) deinstitutionalize status offenders and juveniles not charged with an offense; (2) separate juveniles from incarcerated adults; and (3) remove juveniles from adult incarceration facilities. The administration has claimed that the first two of these objectives--not incarcerating status and nonoffenders and separating juveniles from incarcerated adults--have been largely accomplished. They base this claim on data provided in monitoring reports that states are required by the act to submit to the Office. Progress on the third key objective--the removal of juveniles from adult incarceration facilities--has been limited because, according to the act, states are not required to accomplish this objective until 1985. Using the data provided on the first two objectives and defining the other objectives as responsibilities that the states already have the capability of meeting, the administration has argued that the program has accomplished its objectives.

We were asked to present our assessment of the Office's program to evaluate state monitoring reports and the validity of the conclusions drawn from them by the Department of Justice. In our examination, we found that the Office does not evaluate the reliability and validity of the data that are submitted as part of the state monitoring reports. Our current review and recent prior reviews have found evidence of inaccurate and incomplete local records upon which the state monitoring reports are based. Consequently, state monitoring reports cannot be considered as sufficiently valid and reliable to measure progress in meeting the remaining objectives in the act. I would now like to provide more detail on the results, to date, of our assessment.

THE OFFICE DOES NOT VALIDATE MONITORING DATA

The act requires that states applying for grants authorized under the act have an adequate system for monitoring jails, detention facilities, correctional facilities, and nonsecure facilities to ensure that the objectives of not incarcerating status offenders, separating juveniles from incarcerated adults, and removing juveniles from adult facilities are met. The Office defined the term adequate through its regulations and policies. The act also requires that states submit annual reports on the results of such monitoring to the Administrator of the Office.

The Office does not have a formal policy or guidelines requiring its staff to validate monitoring reports. Office staff members told us they rely on data in the monitoring reports to determine compliance with the three objectives and do not question the data's accuracy. Under the act and Office policy, each state is given the responsibility for establishing its own system for monitoring compliance with the act's key objectives--a self assessment.

FILMED FROM
BEST COPY AVAILABLE

State monitoring systems

Office policy requires that every facility in a state that may be used for detention of juveniles prior to disposition (jails, lockups, detention centers) or commitment of juveniles after disposition (training schools) must be monitored and inspected through on-site visits. If this is not possible, a random sample of facilities must be inspected to verify the data in the monitoring report. Based on telephone interviews with officials from 24 states, we found that the states' verification processes ranged from none in 4 states to on-site verification of data from all facilities in two states. Other methods used by the remaining states included interviewing local officials and examining records at a sample of the facilities.

We have discussed monitoring system problems and recommended corrective actions in two prior reports. In our June 5, 1978, report entitled "Removing Status Offenders From Secure Facilities: Federal Leadership and Guidance Are Needed," we reported that state monitoring systems to determine compliance with the act's objectives had not been established and that reliable juvenile detention and commitment data did not exist. Our March 22, 1983, report entitled "Improved Federal Efforts Needed to Change Juvenile Detention Practices," showed that the five states we visited had not established comprehensive monitoring and recordkeeping systems for detention facilities, especially jails and lockups. These states could not provide us with accurate data on the total number of juveniles held in detention facilities. Further, the local facilities' records were often inaccurate or incomplete.

The Office has not completed its efforts in response to our recommendations. For example, we recommended that the Office assist states and localities in improving their monitoring and recordkeeping systems to adequately account for juvenile detention practices. The Office has developed recordkeeping and data collection policies and practices though, to date, these policies and practices have not been issued to the states.

Recent evidence indicates that state monitoring systems still have problems. Criminal Justice Council officials in 21 of 40 states and state agency officials in 19 of 33 states responding to our questionnaire,[1] stated that the assistance, other than funding, provided by the Office to establish and improve their monitoring and data collection systems was less than needed.

---

[1] See appendix II for a discussion of our questionnaire methodology.

We interviewed state and local juvenile justice officials, examined records, and inspected a limited number of state and local facilities in North Carolina and Texas to obtain firsthand information on monitoring practices and juvenile justice activities. Because of the small number of facilities time allowed us to inspect, our findings are not necessarily indicative of other facilities in the states. In North Carolina, the agency which monitors compliance under the act has to rely on data supplied by other state agencies because it lacks state level authority to collect data from facilities. The agency that collects data from local jails and lockups does not verify the number of juveniles held or the length of stay.

The North Carolina official who prepared the 1982 report told us that data necessary to accurately answer questions in the monitoring reports were not collected and the reported numbers were probably inaccurate. Another North Carolina official who prepared the most recent reports said that the accuracy of these reports was questionable because appropriate data was not available. The North Carolina Governor's Crime Commission is currently reviewing each state agency's reporting needs so it can devise a form that facilitates timely and accurate reporting.

Texas based its separation data in 1982 and prior years on the number of juveniles held in jails, but not whether the jails provided sight and sound separation. We inspected four jails in 1983 and found that two jails certified to hold juveniles had detained an estimated 400 juveniles in 1982 and did not provide sound separation.

In Texas we also found:

--The state statistics used to prepare the monitoring report did not include detained juveniles who were not charged with an offense and, starting in 1983, only truants and runaways were reported as status offenders, while possession of alcohol and "all other status offenders" were dropped.

--One county we visited did not report detained juveniles, including status offenders and nonoffenders, if they were detained pending transfer to child welfare or another program.

FILMED FROM
BEST COPY AVAILABLE

--Two of the six counties we visited, with the third and eighth largest juvenile populations in the state, reclassified status offenders as delinquents if the juvenile had ever been referred to court for a delinquent offense, regardless of the outcome of that referral.

OBSERVATIONS OF PROGRESS CONCERNING THE ACT'S OBJECTIVES

In your April 1983 letter you also requested that we provide information on accomplishments under 10 objectives in the act. As discussed, the act provides specific time frames and requires the states to monitor accomplishments under three objectives--deinstitutionalization of status offenders and nonoffenders, separation of juveniles from adults, and removal of juveniles from adult facilities. We recognize that while not all of the remaining objectives may lend themselves to being quantitatively measured, clearly some can be. But for there to be a useful evaluation of any of the 10 objectives, criteria and valid data collection strategies are essential. Because the Office has not required rigorous data collection procedures, the state monitoring reports are not, in our opinion, a definitive basis for drawing conclusions about the overall effectiveness of the act with respect to any individual objective.

We made the following observations concerning each objective based on the results of a nationwide questionnaire, national estimates based on juvenile justice court cases, and detailed work in North Carolina and Texas. We used questionnaires to obtain information from all states participating in this program, a random sample of judges who belong to the National Council of Juvenile and Family Court Judges, and a judgmentally determined sample of juvenile advocacy groups. The national estimates of juvenile justice statistics were prepared for us by the National Center for Juvenile Justice.[2]

---

[2] The estimates were prepared for us by the National Center for Juvenile Justice, Research Division, National Council of Juvenile and Family Court Judges. The esimtates are based on all available data, about 500,000 case records for both years, from juvenile courts in 676 of 3,141 counties in 1975 and 924 of 3,137 counties in 1981, the latest available year. These counties represented about 34 percent of the juveniles in the United States but were not randomly selected.

Deinstitutionalization of status and nonoffenders

The act states that within 3 years after a state begins participating in the formula grant program, juveniles who have committed offenses that would not be considered criminal if committed by an adult or such nonoffenders as dependent or neglected children shall not be placed in secure detention or correctional facilities.

National estimates show that in 1981, about 37,000 status offenders referred to juvenile court were detained in secure facilities, as compared to about 127,000 in 1975. Progress in removing status and nonoffenders from secure facilities was claimed by Criminal Justice Councils in 35 of 39 states responding to our questionnaire, with the remainder claiming the objective had been accomplished. Even with this progress, Council officials in 31 of 40 states reported the need for continued federal funding to support this objective.

Statistics available in North Carolina show that it has made progress in reducing the number of status offenders held in secure facilities, but the state juvenile justice coordinator told us she was uncertain over the actual number of status offenders held. Texas monitoring data showed the number of status offenders detained over 48 hours, excluding weekends and holidays, decreased from about 4,000 in 1975 to about 1,000 in 1982.

Separation of Juveniles from Adults

The act provides that juveniles shall not be detained or confined in any institution in which they have regular contact with incarcerated adults. The Office defines the term "regular contact" to mean that incarcerated juveniles and adults cannot see each other and no conversation is possible.

Progress in accomplishing this objective was claimed by Criminal Justice Councils in 30 of 40 states responding to our questionnaire, with nine Councils reporting their states had accomplished it. Council respondents in 25 states also said there is a continued need for federal funding to support this objective. According to 60 judges, either the current number of programs or more are needed in their jurisdictions to accomplish this objective.

FILMED FROM
BEST COPY AVAILABLE

In our March 1983 report, we showed that the five states we visited had generally improved their practices of separating juveniles from adults. We found, however, incidents of inadequate separation, separation under harsh or isolating conditions, and locations where we could not determine whether compliance was achieved.

In our current review, we also found incidents of inadequate separation. We visited two jails in North Carolina that were certified to hold juveniles. The jailers at these facilities told us they did not provide sound separation for all juveniles. On the basis of our observations and discussions with local officials, we concluded that two of four jails in Texas did not provide sound separation. Local court officials agreed with our conclusions.

Removal of Juveniles from Adult Facilities

The act provides that, after December 8, 1985, no juveniles shall be detained or confined in any adult jail or lockup, except in low population density areas. In these areas, temporary detention in adult jails is permitted for juveniles accused of serious crimes against persons.

According to the latest available Bureau of Justice Statistics Bulletin, the estimated number of juveniles in adult jails on June 30, 1982, about 1,700 was unchanged from the number reported more than 4 years earlier. The Bureau further estimates that, if the average daily population approximates 1,700 and if the average stay is 2 days, more than 300,000 juveniles were held in jail during the preceding 12-month period.

Data concerning this objective was first required in the 1982 monitoring reports. Although data was not available for all states, the Office determined that 14 states had complied. Juvenile justice agency officials in the 38 states responding to our questionnaire provided the following perspective on progress.

--In 1982, nine states held all of their juveniles detained prior to disposition in facilities exclusively for juveniles.

--In 1982, 24 states held all of their juveniles committed to rehabilitation in facilities exclusively for juveniles.

The states we visited had made progress but had not achieved this objective. North Carolina law requires that all juveniles be removed from adult jails by July 1, 1984. According to state officials responsible for fulfilling this requirement, they may miss this deadline but should meet the act's December 1985 deadline.

According to Texas Criminal Justice Division officials, their largest juvenile justice challenge is removing all juveniles from adult jails. They reported to the Office that insufficient state and local funds are available for regional detention facilities and, that the state cannot meet the act's December 1985 deadline unless federal funds are also provided for the construction and renovation of these facilities.

Reducing the Number of Secure Detentions and Commitments

The act states, in part, that formula grant funds shall be used for programs to increase usage of nonsecure facilities and discourage secure incarceration and detention.

National estimates indicate that secure commitments after disposition have increased and secure detentions before disposition have decreased. The National Center for Juvenile Justice estimates that, in 1975 the courts committed about 67,000 juveniles to institutions compared to about 83,000 in 1981. The Center also estimates that in 1975 about 339,000 of the juveniles referred to juvenile court were held in secure detention facilities, compared to about 270,000 in 1981.

In our questionnaire, Criminal Justice Council officials in 34 of 40 states reported progress in reducing secure detentions before disposition and 35 of 40 reported progress in reducing secure commitments after disposition. Thirty-seven of 40 Councils reported a continued need for federal funding to further reduce secure detentions while 36 reported they needed federal funding to reduce secure commitments.

Progress is also evident in North Carolina and Texas. North Carolina studies show that admissions to juvenile detention centers decreased by 30 percent between 1978 and 1982, while training school admissions decreased by 53 percent between 1974 and 1982. A 1982 survey showed that the greatest juvenile justice need at the local level in Texas was for more short- and long-term alternatives to reduce the number of juveniles placed

FILMED FROM
BEST COPY AVAILABLE

in secure detention and correctional facilities. State statistical reports show, however, that the number of juveniles detained after referral decreased by 8 percent between 1976 and 1982.

Due Process and Procedural Safeguards

The act authorizes "Special Emphasis" grants, in part, to improve the juvenile justice system to conform to standards of due process.

Criminal Justice Council officials responded in our questionnaire that 29 of 40 states have made progress in this objective, and 5 others have accomplished it. A continued need for federal funding under this objective was reported, however, by 35 states.

Concerning procedural safeguards, the juvenile court judges generally responded that all or almost all juveniles in their jurisdictions were afforded due process and procedural safeguards, and these rights were explained to the juveniles.

--About 93 percent of the jurisdictions explained to juveniles that they have the right to remain silent and the right to an attorney.

--About 90 percent explained to juveniles that their statements could be used against them.

--About 97 percent provided the juveniles with the right to an impartial decisionmaker.

On the other hand, a majority of the jurisdictions did not provide juveniles with the right to a trial by jury and bail.

Delinquency Prevention

The act states, in part, that formula grants shall be used for developing, maintaining, and expanding programs and services designed to prevent juvenile delinquency.

Preventing delinquency, as a concept, is agreeable to most, but the reality of how to define or accomplish it and how to know when it is substantially accomplished is difficult to address. We identified indicators concerning progress under this objective. For example, national estimates show that the delinquency arrest rate per 100,000 juveniles, aged 10 through

FILMED FROM
BEST COPY AVAILABLE

17, decreased by 3 percent between 1975 and 1981. This indicator, however, shows police activity, but not necessarily changes in delinquent activity.

Criminal Justice Council officials in 37 of 40 states responded to our questionnaire that progress has been achieved under this objective. All 40 expressed a continued need for federal funding to accomplish it.

Both North Carolina and Texas funded statewide prevention programs to keep students in school rather than suspending or expelling them. While the number of programs in North Carolina increased from 37 in 1977 to 98 in 1982, indicators show that

--the dropout rate per 1,000 juveniles, aged 15 through 17, decreased by 24 percent;

--the rate of suspensions increased by 2 percent; and

--the expulsion rate increased by 28 percent.

According to a Texas report, approximately 92 percent of the juveniles who would have otherwise been suspended or expelled from school in 21 communities were returned to regular classrooms. The report also stated that law enforcement officers in one community had noted a corresponding reduction in daytime burglaries which they attributed to the program keeping unsupervised juveniles off the streets.

Diverting Juveniles from the Juvenile Justice System

The act states, in part, that formula grant funds shall be used for developing, maintaining, and expanding programs and services designed to divert juveniles out of the juvenile justice system.

Progress under this objective is difficult to measure because juveniles may be "diverted" out of the system at different times, depending on how diversion is defined. For example, the police may "divert" a juvenile simply by not arresting or referring the juvenile to court. These diversions are not always recorded.

We identified several indicators of juvenile diversion being practiced. For example, national estimates show that about 70 percent of the juveniles referred to court in both 1975

FILMED FROM
BEST COPY AVAILABLE

and 1981 did not go through the full adjudication process. Also, North Carolina revised its juvenile code in 1979 to keep juveniles away from the juvenile court system if possible. Texas statistical information shows that the police counseled and released 38 percent of the juveniles arrested in 1982 and the courts diverted about 69 percent of referrals out of the juvenile system.

Resolve Problem of Serious Crime by Juveniles

The act states, in part, that formula grant funds shall be used in developing, maintaining, and expanding programs and services designed for juveniles who have committed serious crimes, particularly programs which are designed to improve sentencing procedures, provide for informed dispositions, and provide for effective rehabilitation. While not required, the Office encourages states to allocate a minimum of 30 percent of the formula grant funds to programs designed for serious and repeat offenders.

Changes in the level of serious crime, like several other objectives, can be measured in different ways. We obtained estimates which show that referrals for crimes against persons and those against property increased by 26 percent and 3 percent, respectively, from 1975 to 1981. Other estimates, however, show that arrests for crimes against persons stayed about the same between 1975 and 1981 and arrests for crimes against property decreased by 7 percent.

On the other hand, Criminal Justice Council officials responded to our questionnaire that 29 of 40 states had made progress in programs for juveniles committing serious crime and 39 said there was a continued need for federal funding to support these programs.

North Carolina statistics show that juvenile arrests for "major crimes" decreased about 23 percent between 1976 and 1981. The extent of serious crime by juveniles in Texas had not been established but reports showed that, from 1978 through 1982, about 3 percent of court referrals were for violent crimes and about 36 percent were for crimes such as burglary and theft.

Advocacy Activities to Improve Services for Youth

The act states, in part, that formula grant funds shall be used for projects designed to develop and implement programs strengthening advocacy activities aimed at improving services for and protecting the rights of youth affected by the juvenile justice system.

Our questionnaire results indicate that organizations advocating improved juvenile justice and improved juvenile services are active in 28 of 32 states. In our state work we found that there were 80 statewide and about 34 local youth advocacy groups in North Carolina in May 1983. We visited two statewide organizations and a local organization and were told that advocacy groups have prompted legislative and policy changes at the state level and increased public awareness of juvenile issues at the local level.

The primary advocacy group in Texas, the Texas Coalition for Juvenile Justice, attempts to influence the state legislature on policy issues related to juvenile justice. The Coalition's director explained that it has worked to improve services throughout the state and, partly through its lobbying efforts, Texas established a Juvenile Probation Commission in 1981 to

--make juvenile probation services available throughout the state,

--make probation services more effective,

--provide alternatives for delinquent juveniles through state aid to probation departments, and

--establish uniform probation standards.

Community-based Alternatives to Incarceration

The act states, in part, that formula grant funds shall be used in developing, maintaining, and expanding programs and services to provide community-based alternatives to secure detention facilities and secure correctional facilities.

Our survey showed that although the participating states had made progress in developing and expanding community-based alternatives, there were indications that this objective has not been fully accomplished. Specifically, 22 of 37 state agencies indicated that the number of nonsecure community-based facilities is less than adequate. The following factors were reported as hindering the development of alternatives in some of the 38 states we surveyed:

FILMED FROM
BEST COPY AVAILABLE

--Disagreement about the importance of alternatives (23 states).

--Resistance from communities where facilities could be located (36 states).

--Availability of funding (36 states).

--Availability of transportation (16 states).

Further, all 38 states said the future federal role in developing community-based alternatives should remain the same as it is now or be expanded.

Our work in North Carolina and Texas supports the survey results. A 1982 Texas study showed that only 20 of 136 county departments reported sufficient resources to meet short-term alternative placement needs and 26 reported being able to meet long-term alternative placement needs. Our analysis of this study showed that 85 percent of the counties do not have community-based alternatives to incarceration.

The Community-based Alternative Program in North Carolina, however, reported expanding programs from 152 in 1977 to 302 in 1982. The assistant program director said that shortages still exist in 20 eastern and 5 western counties.

Federal Presence in Juvenile Justice

Top officials in the Office told us the current administration believes that the states have demonstrated their ability to meet the act's objectives without continued federal involvement. They explained that the accomplishments in deinstitutionalizing status offenders and separating juveniles from adults demonstrate the state and local capability of achieving the act's objectives.

State juvenile justice officials responded to our questionnaire that, although the federal proportion of total funds expended to prevent, control, and treat juvenile delinquency is small, it has been a factor in making progress under the objectives. The average federal proportion reported by Council officials was 5 percent for fiscal year 1983. At least 29 of 40 Council officials responded, for each objective, that the Juvenile Justice and Delinquency Prevention Act of 1974 was a factor in the progress achieved. State agency officials' responses to this question varied by objective, but a majority said assistance provided under the act was a factor in the progress achieved for all objectives except due process, where the act was reported as a factor in 15 of 38 states.

We also asked Council officials what the effect would be on the current effort for each objective if they no longer received federal funds. A majority of the respondents said that their current efforts would be reduced for all objectives except separation and due process. In addition, all 40 of the Council officials said that federal funding should remain the same or be expanded and 36 said federal leadership, that is, identifying national priorities, setting national objectives, etc., should also remain the same or be expanded. Likewise, juvenile justice agency officials in 33 of 38 states said federal funding should remain the same or be expanded and 31 said federal leadership should remain the same or be expanded. Juvenile court judges had similar opinions for their jurisdictions. Ninety percent said federal funding should be expanded or remain the same and 80 percent said federal leadership should be expanded or remain the same.

- - - -

This concludes my prepared statement. We hope this information and the detailed information in our report later this year will assist the subcommittee in its considerations concerning reauthorization of the Juvenile Justice and Delinquency Prevention Act of 1974. We would be pleased to respond to any questions at this time.

[illegible]

COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
[illegible]
WASHINGTON, D.C. 20515
SUBCOMMITTEE ON HUMAN RESOURCES

April 29, 1983

The Honorable Charles A. Bowsher
Comptroller General of the United States
General Accounting Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Bowsher:

As you are aware, the Subcommittee on Human Resources, which I chair, has House jurisdiction over the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601) and specifically over the Office of Juvenile Justice and Delinquency Prevention (OJJDP), authorized by Title II of the Act. During the past several months, a number of rather serious allegations have been raised concerning the manner in which the legislation is being implemented. To avoid any appearance of partisan motivation, I would very much like to request that the General Accounting Office assist the Subcommittee by investigating the following areas of concern.

1. On March 9, 1983, the late Congressman Phillip Burton wrote the Acting Administrator of the Office of Juvenile Justice and Delinquency Prevention protesting "apparent harassment" of the Coleman Children and Youth Services in San Francisco. The letter is enclosed. The Coleman program was reportedly visited by an unnamed OJJDP employee and told that they would have to repay some $55,000 in disallowed expenses only a short time after a Department of Justice audit found no problems with the program. It would be appreciated if the General Accounting Office would: (a) examine the circumstances under which the OJJDP employee in question reviewed the Coleman Children and Youth Services program to determine if the review was conducted properly and if it could be construed to be harassment; (b) examine the validity of the review itself and the subsequent demand for repayment; and, (c) determine if there has been a pattern of this type of review or selective audits of other advocacy or delinquency prevention grantees which might constitute harassment since the current Deputy Administrator has been acting in the capacity of Administrator. (GAO note: See p. 19, note a.)

The Honorable Charles A. Bowsher
April 29, 1983
Page Two

2. The National Advisory Committee for Juvenile Justice and Delinquency Prevention is required by law to consist of 15 members. It is further required that [illegible] members be present as a quorum; that five members be under [illegible] years of age at the time of their appointment; and, that at least two members shall have been or shall be at the time of their appointment under the jurisdiction of the juvenile justice system. So far as I am aware, the President has yet to name all 15 members. At the same time, I understand that several meetings have taken place, some without a quorum present. It would be appreciated if you would examine the operation of the National Advisory Committee to determine if it has been operating during this Administration in compliance with the law and whether, and to what extent, a misexpenditure of public funds has occurred. (GAO note: See p. 19, note b.)

3. It has been reported that the current Acting Administrator of OJJDP has required as much as a 50 percent cash match contribution from both Part B and Part C grantees. This would seem to violate the provisions of Section 228(c) of the Act. It would be appreciated if the General Accounting Office would determine whether such actions have occurred and, if so, if they are legal and meet the intent of the Act. (GAO note: See p. 19, note c.)

4. It has been reported that a "drug suppression" project has been awarded to a number of sites from Part B Special Emphasis funds. There appears to be no appropriate authorization within Section 224 for such a program. Furthermore, since grantees were announced at the same time the initiative was announced, it appears that the awards were non-competitive and in violation of the Part B, Section 225 application requirements. It would be appreciated if the General Accounting Office would investigate the formulation and award of the Drug Suppression grants in regard to the legality of funding this project under the authorities of Section 224 and in terms of whether the requirements of Section 225 have been violated. We would also appreciate delineation of appropriate legal and legislative remedies, if violations have occurred. (GAO note: See p. 19, note d.)

5. It has been reported that the Acting Administrator plans to award some $9 million in Part B Special Emphasis funds for a "serial murder computer operation." If this report is true, the type of program allegedly envisioned again does not seem to fall under the Section 224 authority nor meet Congressional intent for this legislation. A review of the legality of this proposal under Section 224 authority would therefore be appreciated. (GAO note: See p. 19, note e.)

FILMED FROM
BEST COPY AVAILABLE

The Honorable Charles A. Bowsher
April 29, 1983
Page Three

6. Allegations have been made that a "hit list" of personnel exists and that professional staff within the Office are being transferred both within and outside the agency to further the Administration's goal of eliminating the program and to harass career employees with philosophical differences from the current Administration. It would be appreciated if the General Accounting Office would review the personnel actions that have occurred with regard to consultant contracts and career employees at the GS-12 level and above since the new Acting Administrator assumed his duties to determine if any improprieties have occurred. Again, a delineation of any appropriate remedies, should abuses be found, would be appreciated.
   (GAO note: See p. 19, note f.)

7. Reports have also been made of excessive travel costs on the part of the Acting Administrator, his assistants, and the two Deputy Administrators, since their respective appointments. A General Accounting Office review of these travel expenses and the appropriateness of such travel would be appreciated.
   (GAO note: See p. 19, note g.)

8. Pursuant to the most General Accounting Office report on OJJDP, released March 22, 1983, there would seem to be some disparity between the monitoring reports received by OJJDP and the site visit reports from the General Accounting Office. This raises the question of whether OJJDP is in any way evaluating the monitoring reports it receives from the States and whether it has in place its own program to monitor State compliance with the Act's mandates. It would be appreciated if the General Accounting Office would review whatever program OJJDP has in place to evaluate State monitoring reports and monitor State compliance with the Juvenile Justice Act mandates.
   (GAO note: This issue is discussed in the body of this report.)

9. Last of all is a broader concern. For the last three fiscal years, the Administration has requested zero funds for the OJJDP based on their assertion that the Office has fulfilled its objectives. While I believe that substantial and surprising progress, considering the program's comparatively small size, has been made toward realizing some legislative objectives, it is difficult to substantiate claims that those objectives have been accomplished. It would be appreciated if the General Accounting Office would investigate the claims made by the Administration that the Act's objectives have been realized and determine if indeed those claims are valid. Any determination of the basis on which the Administration made these claims would also be helpful. In addition to the objectives of the deinstitutionalization of status offenders, the separation of juveniles

The Honorable Charles A. Bowsher
April 29, 1983
Page Four

from regular contact with adults, and reductions in detention and commitments, which I understand the General Accounting Office has already investigated, I would also like information on the additional objectives of the Act:

- Delinquency prevention
- Diversion
- Community-based alternative to incarceration
- Advocacy for improved services and improved administration of juvenile justice
- Due process and procedural safeguards
- Complete removal of juveniles from adult facilities
- Help resolve the problem of juveniles who commit serious crimes

(GAO note: This issue is discussed in the body of this report.)

I certainly realize that this is a varied request and that the completion of requested tasks will take varying amounts of time. Since oversight hearings are anticipated in the fall and reauthorization hearings early next year and given the importance of each item, it would, therefore, be appropriate to relate to us the results of the various reviews as they are completed. Obtaining answers to some of the legal questions may well require little time for completion, whereas other items, more evaluative in nature, may consume more. We would not want to sacrifice the quality of these reviews for expedience and therefore would be willing to accept periodic oral reports on the results of the reviews until such time as the various written reports are completed. Please contact Mr. Gordon Raley, Subcommittee Staff Director, to discuss the details of this request.

I very much appreciate your assistance regarding these matters.

Sincerely yours,

Ike Andrews

Ike Andrews
Chairman

IA:grd

Enclosure

FILMED FROM
BEST COPY AVAILABLE

Notes

a. This issue is discussed in GAO's report Youth Advocacy Grant Audits (April 12, 1984, GAO/GGD-84-43).

b. This issue is discussed in GAO's report Appointments to and Operations of the National Advisory Committee for Juvenile Justice and Delinquency Prevention (Nov. 30, 1983, GAO/GGD-84-8).

c. This issue is discussed in GAO's report Propriety of Nonfederal Cash Matching Requirements for Juvenile Justice Grants (Dec. 9, 1983, GAO/GGD-84-28).

d. This issue is discussed in GAO's report Drug Suppression/Habitual Offender Program Awards Were Proper (April 3, 1984, GAO/GGD-84-44).

e. This issue is discussed in GAO's report The Proposed Missing Children and Serial Murder Tracking Program is Not Eligible for Juvenile Justice and Delinquency Prevention Act Special Emphasis Funds (Nov. 16, 1983, GAO/GGD-84-7).

f. This issue is discussed in GAO's report Propriety of Personnel Actions and Use of Consultants by the Office of Juvenile Justice and Delinquency Prevention (April 3, 1984, GAO/GGD-84-45).

g. This issue is discussed in GAO's report Travel by the Office of Juvenile Justice and Delinquency Prevention's Administrator and His Staff was Reasonable and Appropriate (Dec. 9, 1983, GAO/GGD-84-18).

QUESTIONNAIRE METHODOLOGY

In addition to our in-depth review of juvenile justice systems in North Carolina and Texas, we obtained a national perspective on juvenile justice issues by surveying

--the director of the Criminal Justice Council, if one existed, in each state participating in the formula grants program;

--the Chairman of the juvenile justice State Advisory Group, if one existed, in each state participating in the formula grants program;

--a representative of a state agency responsible for administering juvenile justice functions in each state participating in the formula grants program;

--the director of one juvenile justice advocacy group from each state participating in the formula grants program; and

--a random sample of juvenile court judges who are members of the National Council of Juvenile and Family Court Judges.

QUESTIONNAIRE DATA

We designed questionnaires tailored to each of these groups. The instruments were pretested with members of each group in two states and refined based on pretest results.

The questionnaires were designed to obtain both objective and attitudinal data reflecting a mix of state, judicial, and advocacy group views and experiences related to juvenile justice. As a whole, questionnaires provided information about

--the availability of and need for facilities and services for juveniles and juvenile offenders;

--placement practices for and procedural safeguards afforded juveniles in the judicial system;

- --sources and uses of juvenile justice funds, and states' need for funding and other support;
- --the role of advocacy groups and the effect of their efforts in the juvenile justice area;
- --progress states have made toward accomplishing specific objectives of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, and the role funding and other support under the act has played in this process; and
- --opinions of what the nature and magnitude of the federal role in juvenile justice should be.

RESPONSE RATES

The table below shows the number of individuals surveyed in September 1983 from each group and the number of respondents.

Survey group	Number surveyed	Number responded
Directors of Criminal Justice Councils	46	41
Chairpersons of State Advisory Groups	44	26
Representatives of State Agencies	47	38
Representatives of Advocacy Groups	47	32
Juvenile Court Judges	186[a]	95

[a] We sent questionnaires to 186 judges, but 54 of them responded that they were no longer juvenile court judges. The 54 were not included in the 95 responses we analyzed.

One individual from the Criminal Justice Council, one from the state agency, and one from the State Advisory Group in each state that was a formula grant participant, was sent a questionnaire. Some of the respondents did not answer every question in the questionnaire so the response rate may vary by question. Reported responses from these three groups in each state represent the views and experience of all states participating in the program.

Responses from the advocacy groups and judges we surveyed are only representative of those groups and judges who responded.

16 1983

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

B-202245 November 16, 1983

The Honorable Ike F. Andrews
Chairman, Subcommittee on
Human Resources
Committee on Education and
Labor
House of Representatives

Dear Mr. Chairman:

Subject: The Proposed Missing Children And Serial Murder Tracking Program Is Not Eligible For Juvenile Justice And Delinquency Prevention Act Special Emphasis Funds (GAO/GGD-84-7)

This letter is one of a series which will address the concerns in your April 29, 1983, request, about the manner in which the Office of Juvenile Justice and Delinquency Prevention is implementing the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.). In response to one of your concerns, we have reviewed the Office's proposal to fund a Missing Children and Serial Murder Tracking Program. You asked us to determine whether this proposed program is eligible for funding under the act's Special Emphasis Prevention and Treatment Programs authorized by Title II, part B, subpart II, and if the program meets congressional intent.

To make this determination, we studied the act and its amendments and legislative history to determine what programs could be funded and what programs the Congress intended the act to fund. We also reviewed the legal opinion prepared by the Office of Justice Assistance, Research, and Statistics' General Counsel [1] on whether the proposed program was eligible for special emphasis funds. Our work was performed at the Office of Juvenile Justice and Delinquency Prevention in Washington, D.C., and was done in accordance with generally accepted government auditing standards.

We have determined that the proposed program is not eligible for special emphasis funding because the Office has not demonstrated a direct connection between the program's primary purposes and the prevention of juvenile delinquency. However, certain secondary program elements dealing with research relating to child exploitation are eligible for funding under another section of the act. The Office does not plan to use special emphasis funds for the Missing Children and Serial Murder Tracking Program, but has approved a related research project funded by the National Institute of Justice and the National Institute for Juvenile Justice and Delinquency Prevention.

---

[1] The Office of Justice Assistance, Research, and Statistics' General Counsel provides legal advice to the Office of Juvenile Justice and Delinquency Prevention pursuant to the Juvenile Justice and Delinquency Prevention Act.

(185997)

MISSING CHILDREN AND SERIAL MURDER TRACKING PROGRAM IS NOT ELIGIBLE FOR SPECIAL EMPHASIS FUNDING

Section 224 of the act sets forth the activities for which special emphasis program funds may be used. A program is eligible for special emphasis funding if there is a direct connection between the purposes of the program and an activity authorized under Section 224. Fundable programs are those with the objective of developing, implementing, and improving methods to prevent or control juvenile delinquency or which improve the juvenile justice system. These objectives can be achieved through various activities involving diversion, treatment, rehabilitation, education, training, and research.

The legislative history of the act reiterates the statutory language and does not elaborate on specific activities for which special emphasis funds may be used.

The primary goal of the proposed Missing Children and Serial Murder Tracking Program is to prevent serial murders of abducted juveniles and adults (those in which one person commits multiple murders). The program proposes to accomplish this goal by developing a model for a national computerized system to identify and locate missing and abducted persons and victims of serial murders. As planned, this $9 million, 4-year program would involve 1 agency acting as a central operating unit for 40 satellite agencies around the country. The satellite agencies would work with the central agency to establish national information collection guidelines and a multijurisdictional investigative assistance network.

According to the proposal, the program will also help prevent delinquent activity by juveniles who are involved with criminals who victimize both adults and juveniles. The connection between this program and the prevention of juvenile delinquency is based primarily on secondary program elements concerning research on preventing child exploitation. The proposal states that, in addition to the above tracking system, the program will include

> "furthering research and educational programs and information on child exploitation and victimization by medical health, law enforcement and prosecutorial personnel; providing direction and plans for supportive technical assistance to State and local advisory groups on prevention programs that identify juvenile victims and potential victims; and providing impetus for training aids and films to be generated for juvenile investigators to increase their awareness and proficiency to deal with child abduction, exploitation and resulting delinquency in their jurisdictions."

The Administrator, Office of Juvenile Justice and Delinquency Prevention, approved the proposed program in March 1983; however, funding was deferred pending a legal opinion on the program's eligibility for special emphasis funds.

In a May 1983 memorandum to the Administrator, the Department of Justice's Office of Justice Assistance, Research, and Statistics' General Counsel concluded that the program, as originally proposed, was not eligible for special emphasis funding because it had no ascertainable relationship with preventing or controlling juvenile delinquency. This conclusion was based on the fact that the proposed program relates principally to more effective police apprehension techniques and the act does not authorize such programs even when their purpose is to protect juveniles from victimization.

The memorandum also pointed out, however, that secondary program elements concerning research on child exploitation and its relationship to juvenile delinquency are eligible for funding by the National Institute for Juvenile Justice and Delinquency Prevention under part C of the act.

We agree with the General Counsel's opinion that the proposed Missing Children and Serial Murder Tracking Program is not eligible for special emphasis funding under Title II, part B, subpart II of the Juvenile Justice and Delinquency Prevention Act. The proposed program does not demonstrate that there is a direct connection between the apprehension of criminals involved in serial murders and the prevention of juvenile delinquency. We also agree that the secondary program elements dealing with research relating to child exploitation and its relationship to juvenile delinquency are eligible for funding under part C of the act.

AGENCY ACTION AND COMMENTS

In commenting on our draft report the Department of Justice agreed that the Missing Children and Serial Murder Tracking Program is not eligible for special emphasis funding, and that certain secondary program elements dealing with research relating to child exploitation are eligible for funding under another section of the act.

The Department also stated that the Administrator, Office of Juvenile Justice and Delinquency Prevention, subsequently approved funding for a research project designed to explore the linkage between child abuse and exploitation and juvenile delinquency and to lay the groundwork for an operational serial murder tracking and apprehension program. This project is being funded by the National Institute for Juvenile Justice and Delinquency Prevention and the National Institute of Justice.

- - - -

We would be pleased to meet with you or your staff if you desire any additional information on this matter. As arranged with your office, we are sending copies of this report to the Attorney General and the Administrator, Office of Juvenile Justice and Delinquency Prevention. Copies will also be sent to other interested parties who request them.

Sincerely yours,

W. J. Anderson

William J. Anderson
Director

APR 12 1984

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

B-202245 April 12,1984

The Honorable Ike F. Andrews
Chairman, Subcommittee on Human Resources
Committee on Education and Labor
House of Representatives

Dear Mr. Chairman:

Subject: Youth Advocacy Grant Audits (GAO/GGD-84-43)

This letter is one of a series which will address the concerns in your April 29, 1983, request about the manner in which the Office of Juvenile Justice and Delinquency Prevention, Department of Justice, is implementing the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 *et seq.*). In response to one of your concerns, we reviewed the fiscal year 1983 audits of youth advocacy grants by the Department of Justice. You asked us to determine (1) the circumstances surrounding the audit and subsequent resolution of audit findings involving the grant to Coleman Children and Youth Services in San Francisco, California, and (2) whether there has been a pattern of selective audits of other grants which might constitute harassment.

We studied the policies and procedures for initiating, executing, and resolving audits of grant programs and the circumstances leading to audits of the Coleman grant and all other Office of Juvenile Justice and Delinquency Prevention grants in fiscal year 1983. We discussed the audits with the Office grant monitors and top management officials, grant program management, and the Department of Justice auditing office. Our work was performed at the Office of Juvenile Justice and Delinquency Prevention in Washington, D.C., and was done in accordance with generally accepted government auditing standards.

We found no evidence of impropriety by Office officials or Justice Department auditors who initiated, executed, or resolved the audits of youth advocacy grants, including the Coleman grant. Additionally, we found that the selection of these grants for audit, the execution of the audits, and the subsequent activity to resolve audit findings were proper and in accordance with Justice Department policy.

(185997)

B-202245

Advocacy Grant Audits

The Office of Management and Budget's Circulars A-102 and A-110 establish audit requirements for federal grant recipients. The Circulars require federal grant recipients to obtain independent audits of their programs' financial operations at least every 2 years. These audits should include an assessment of each program's compliance with applicable federal laws and regulations and are usually performed by either a private or nonfederal government auditor.

The Justice Department performs audits for the Office of Juvenile Justice and Delinquency Prevention and relies as much as possible on the independent audits of grantee operations. The Justice Department audits grantees only if (1) requested by the program office that awarded the grant, (2) requested by another federal or state agency, (3) information is obtained that indicates improper grantee expenditures, (4) a prior audit of grantee activities indicated serious problems, or (5) grant operations have been terminated. After the Justice Department issues an audit report, the program grant monitor (the Office of Juvenile Justice and Delinquency Prevention for these advocacy grants) is required to resolve all questioned costs with the grantee.

In January 1983 the Office of Juvenile Justice and Delinquency Prevention requested the Justice Department to audit the 17 grants in its Youth Advocacy Program. Program participants actively support and represent youth interests in efforts to improve the juvenile justice system. The Office Administrator told us he initiated this action because he had information from reviewing grant files and from staff visits to grantees (including the Coleman project) indicating that some grantees may have been violating their grant agreements by spending federal funds on political lobbying activities. The Justice Department did not have enough staff to perform all 17 grant audits, so the Office Administrator, based on his judgment, specified the priority for auditing these grants. Ten grants were selected for audit in fiscal year 1983 based on the Administrator's list of priorities. Nine of the 10 audits have been completed. According to Office officials, the tenth grant cannot be audited by the Justice Department until records are obtained from the grantee. The Office is currently trying to obtain these records. As of February 1984, there were no plans to audit any other advocacy grantees in fiscal year 1984.

In four of the nine completed audits, no grantee expenditures were questioned. In the remaining five audits, nearly all of the questioned costs involved bookkeeping errors and missing documents needed to support expenditures. These problems generally have been resolved without requiring large repayments by the grantees. (See enc. I.) The Office's resolution of these audits properly followed Department of Justice procedures.

Coleman Project Audits

The Coleman Children and Youth Services grant was first audited in early 1982 because Justice Department officials wanted to obtain information about many ongoing juvenile justice and community anticrime grant operations. The Office was not involved in selecting this grantee for audit. The first audit covered grant operations from April 1980 through March 1982. The audit report issued in July 1982 contained no significant findings. The audit workpapers show that during the exit conference, at the conclusion of the audit, a number of problem areas were discussed with the grantee. The Justice Department auditor decided that the problems discussed were not significant and since the grantee agreed to resolve all of these problems, none were noted in the audit report.

In January 1983, a member of the Administrator's staff, as part of a week-long, multistate trip which involved attendance at a juvenile judges conference and visits to two other grantees, spent part of one day at the Coleman project. The Office Administrator told us that the purpose of this unannounced visit was to become familiar with the Coleman project and to see how well it was meeting its objectives.

In February 1983, the Justice Department, responding to the Office of Juvenile Justice and Delinquency Prevention's request to audit certain youth advocacy grants, began a second audit of the Coleman project. The second audit covered the same period as the prior audit as well as the additional operations from April through December 1982. The report on the second audit was issued in March 1983 and questioned about $56,000 of expenses for various reasons such as the lack of required documentation and inadequate contracting controls. After obtaining additional information and documentation from the grantee, the Office has concluded that $927 in expenses should be repaid. Many of the questioned costs resulted from problems which had been discussed in the earlier audit but had not been resolved by the grantee.

Agency Comments

In reviewing our draft report the Department of Justice made only one comment, noting that the January 1983 trip to the Coleman Project by a member of the Administrator's staff was for part of one day rather than parts of two days. We have revised the report accordingly. (See enc. II.)

- - - -

We would be pleased to meet with you or your staff if you desire any additional information on this matter. As arranged with your office, we are sending copies of this report to the Attorney General and the Administrator, Office of Juvenile Justice and Delinquency Prevention. Copies will also be sent to other interested parties who request them.

Sincerely yours,

W. J. Anderson

William J. Anderson
Director

Enclosure

Results Of Fiscal Year 1983 Youth Advocacy Grant Audits

Grantee	Grant award	Cost questioned in audit	Repayment required[a]
Youth Policy and Law Center Madison, WI	$ 987,598	$70,163	$ -0-
Coleman Children and Youth Services San Francisco, CA	635,308	56,430	927
Governor's Council on Children and Youth Raleigh, NC	959,535	19,946	400
Advocates for Children of New York Long Island City, NY	1,001,180	5,003	5,003[b]
Oregon Youth Work Alliance Salem, OR	996,252	2,799	282
Greater Boston Legal Services Boston, MA	874,721	-0-	-0-
Youth Advocacy Initiative Columbus, OH	792,315	-0-	-0-
New Directions for Young Women Tucson, AZ	696,731	-0-	-0-
Arkansas Advocates for Children and Families Little Rock, AR	536,348	-0-	-0-
National Conference of Black Lawyers New York, NY	616,691	Unknown[c]	Unknown[c]

---

[a] Most questioned costs involved bookkeeping errors or missing documents and were resolved without repayment.

[b] Overpaid to a contractor, collectable by grantee.

[c] Grantee records needed for audit by the Justice Department are being sought by the Office of Juvenile Justice and Delinquency Prevention.

U.S. Department of Justice

March 27, 1984

Washington, D.C. 20530

Mr. William J. Anderson
Director
General Government Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Anderson:

This letter responds to your request to the Attorney General for the comments of the Department of Justice (Department) on your proposed letter report to Congressman Ike F. Andrews entitled "Youth Advocacy Grant Audits."

The Department has reviewed the report and has only one comment to offer relating to a member of the Administrator's staff visiting the Coleman Project in January 1983, as discussed in the second full paragraph on page 3 of the report. To the best of his recollection, the representative from the Administrator's office spent part of one day at the Coleman Office and not parts of two days.

We appreciate the opportunity to provide our comments on the report while in draft form. Should you have need for any additional information, please feel free to contact me.

Sincerely,

Kevin D. Rooney

Kevin D. Rooney
Assistant Attorney General
for Administration

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

December 9, 1983

B-202245

The Honorable Ike F. Andrews
Chairman, Subcommittee on
Human Resources
Committee on Education and
Labor
House of Representatives

Dear Mr. Chairman:

Subject: Travel By The Office Of Juvenile Justice And Delinquency Prevention's Administrator And His Staff Was Reasonable And Appropriate (GAO/GGD-84-18)

This letter is one of a series which will address the concerns in your April 29, 1983, request about the manner in which the Office of Juvenile Justice and Delinquency Prevention is implementing the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.). In response to one of your concerns, we have reviewed all travel by the Administrator, Office of Juvenile Justice and Delinquency Prevention, and his five professional staff members which began or ended between December 1, 1982, and May 31, 1983, to determine if it was reasonable and appropriate.

We evaluated the travel justifications and claims for reimbursements for all trips taken during this period and discussed our findings with the Administrator; his staff; and the Comptroller's Office of the Office of Justice Assistance, Research, and Statistics.[1] We also reviewed travel regulations, policies, and documentation required for reimbursement. Our work was performed at the Office of Juvenile Justice and Delinquency Prevention in Washington, D.C., and was done in accordance with generally accepted government auditing standards.

---

[1] The Comptroller's Office of the Office of Justice Assistance, Research, and Statistics provides financial and accounting assistance to the Office of Juvenile Justice and Delinquency Prevention pursuant to the Juvenile Justice and Delinquency Prevention Act.

(185997)

We have determined that travel by the Administrator and his staff during the time period reviewed was reasonable and appropriate. The few questionable expenses found during the review were of a low dollar value.

We found that trips taken by the Administrator and members of his staff were not excessively long, frequent, or expensive. Trips made by air were economy class, and all trips were taken to obtain information or to attend functions related to juvenile justice activities. (See enc. II.)

From December 1, 1982, to May 31, 1983, six individuals began or ended 40 trips totaling $18,077. Ten trips were made by two or more individuals, with group trip costs ranging from $222 to $1,873. (See enc. III.) The various individuals traveled from 2 to 13 times with total travel costs ranging from $747 to $4,815. (See enc. I.)

Individuals were generally reimbursed for the proper per diem or subsistence costs allowed for the locations visited. We found a small number of questionable payments, all of low dollar value, resulting from arithmetic errors or insufficient documentation. We reported these payments to the Comptroller's Office of the Office of Justice Assistance, Research, and Statistics which informed us that corrective actions had been taken.

Agency Comments

In commenting on a draft of this report the Department of Justice stated it considers the details of travel described in the report to be substantially correct and finds no reason for further comment. (See enc. IV.)

- - - -

We would be pleased to meet with you or your staff if you desire any additional information on this matter. As arranged with your office, we are sending copies of this report to the Attorney General and the Administrator, Office of Juvenile Justice and Delinquency Prevention. Copies will also be sent to other interested parties who request them.

Sincerely yours,

W. J. Anderson

William J. Anderson
Director

Enclosures

Summary Of Individual Trips Begun Or Ended Between December 1, 1982, And May 31, 1983

Traveler	Trips taken	Trip costs Total	Trip costs Average
Alfred Regnery, Administrator	13	$ 4,815	$370
Thomas Dailey, Special Assistant to the Administrator	10	4,437	444
John Winkfield, Deputy Administrator	7	3,881	554
Benjamin Shapiro, Special Assistant to the Deputy Administrator	5	2,363	473
James Howell, Acting Director of the National Institute for Juvenile Justice and Delinquency Prevention	3	1,834	611
Sharon Wagner, Executive Assistant	2	747	374
Totals	40	$18,077	

Individual Trips[1]

Traveler	Trip dates	Location	Purpose
Alfred Regnery	1. Dec. 8-9, 1982	New York, NY	Meet juvenile justice experts
	2. Dec. 13-14, 1982	Hilton Head Island, SC	Participate in 2nd Annual Southern Legislators Conference
	3. Dec. 28-29, 1982	Pittsburgh, PA; Canton, OH	Meet juvenile justice experts
	4. Jan. 10-11, 1983	St. Louis, MO	Meet Chairman, National Advisory Committee for Juvenile Justice and Delinquency Prevention
	5. Feb. 10-13, 1983	Raleigh, Durham, NC	Attend National Institute of Justice Advisory Board meeting
	6. Feb. 21-24, 1983	Hilton Head Island, SC	Participate in 10th National Conference on Juvenile Justice
	7. Mar. 2-4, 1983	Fisheating Creek, Bushnell, Brooksville, Okeechobee, Lake Placid, Vero Beach, FL	Visit correctional institutions for juveniles
	8. Mar. 15-18, 1983	Sacramento, Los Angeles, CA	Participate in California Youth Education Conference, and meet juvenile justice experts

---

[1] Individuals attending the same meeting did not always arrive or leave on the same dates.

Traveler	Trip dates	Location	Purpose
Alfred Regnery			
	9. Mar. 30, 1983	Atlantic City, NJ	Attend National Boy Scouts' Law Enforcement Exploring Committee meeting
	10. Apr. 14, 1983	Boston, MA	Discuss proposal to hold executive sessions at Harvard University
	11. Apr. 24-25, 1983	Dallas, TX; Detroit, MI	Participate in National Boys Club Conference, and National Advisory Committee for Juvenile Justice and Delinquency Prevention meeting
	12. May 9-11, 1983	New Orleans, Baton Rouge, LA	Participate in Governor's Advisory Board, and visit grantees
	13. May 24-25, 1983	Kansas City, MO	Participate in 4th Annual State Advisory Group meeting

Traveler	Trip dates	Location	Purpose
Thomas Dailey	14. Dec. 8-9, 1982	See Trip Number 1	
	15. Dec. 13-14, 1982	See Trip Number 2	
	16. Dec. 28-29, 1982	See Trip Number 3	
	17. Jan. 5-11, 1983	San Francisco CA; Reno, NV	Meet juvenile justice experts, visit grantees, and attend Research on Serious Juvenile Crime Seminar
	18. Feb. 22-24, 1983	See Trip Number 6	
	19. Mar. 2-6, 1983	See Trip Number 7	
	20. Mar. 15-18, 1983	See Trip Number 8	
	21. Apr. 14, 1983	See Trip Number 10	
	22. Apr. 24-26, 1983	See Trip Number 11	
	23. May 24-25, 1983	See Trip Number 13	
John Winkfield	24. Jan. 26 -Feb. 2, 1983	New Orleans, LA; Los Angeles, CA; Phoenix, AZ; New York, NY; Chicago, IL	Visit five grantees

Traveler	Trip dates	Location	Purpose
John Winkfield			
	25. Mar. 2-4, 1983	See Trip Number 7	
	26. Apr. 16-18, 1983	Hedgesville, WVA	Participate in Governor's Award Conference
	27. Apr. 22-26, 1983	Detroit, MI; Cincinnati, OH	See Trip Number 11, and speak at Ohio Juvenile Judges Association meeting
	28. May 17-22, 1983	Miami, FL	Participate in Closeup Foundation meeting, and visit grantees
	29. May 24-26, 1983	See Trip Number 13	
	30. May 31 - June 2, 1983	St. Thomas, VI	Participate in Annual Conference for Government of the Virgin Islands
Benjamin Shapiro			
	31. Nov. 29 - Dec. 3, 1982	Philadelphia, Pittsburgh, PA	Monitor grant projects
	32. Mar. 16-18, 1983	See Trip Number 8	
	33. Apr. 7-9, 1983	Denver, CO	Attend National Conference of State Legislators
	34. May 2-3, 1983	Portland, ME	Participate in Maine Youth Day
	35. May 24-26, 1983	See Trip Number 13	

Traveler	Trip dates	Location	Purpose
James Howell	36. Jan. 9-12, 1983	Reno, NV	Participate in Research on Serious Juvenile Crime Seminar
	37. Feb. 21-24, 1983	See Trip Number 6	
	38. Apr. 11-15, 1983	Tucson, AZ	Witness in law suit against the Office of Juvenile Justice and Delinquency Prevention
Sharon Wagner	39. Apr. 24-26, 1983	See Trip Number 11	
	40. May 21-26, 1983	See Trip Number 13	

Combined Trip Statistics[1]

Travelers	Total trip cost	Dates	Location/purpose
1. A. Regnery T. Dailey J. Winkfield B. Shapiro S. Wagner	$1,850	May 21-26, 1983	Kansas City, MO, attend 4th Annual State Advisory Group meeting
2. A. Regnery T. Dailey J. Winkfield S. Wagner	$1,742	Apr. 22-26, 1983	Detroit, MI, attend National Advisory Committee for Juvenile Justice and Delinquency Prevention meeting
3. A. Regnery T. Dailey B. Shapiro	$1,873	Mar. 15-18, 1983	Sacramento, Los Angeles, CA, meet juvenile justice experts, and attend California Youth Education Conference.
4. A. Regnery J. Winkfield T. Dailey	$1,626	Mar 2-4, 1983	Bushnell, Fisheating Creek, Brooksville, Okeechobee, Lake Placid, Vero Beach, FL, visit correctional institutions for juveniles
5. A. Regnery T. Dailey J. Howell	$1,079	Feb. 21-24, 1983	Hilton Head Island, SC, attend 10th National Conference on Juvenile Justice

---

[1] Individuals did not always arrive or leave together.

Travelers	Total trip cost	Dates	Location/purpose
6. T. Dailey J. Howell	$1,097	Jan. 9-12, 1983	Reno, NV, attend Research on Serious Juvenile Crime Seminar
7. A. Regnery T. Dailey	$ 631	Dec. 28-29, 1982	Pittsburgh, PA; Canton, OH, meet juvenile justice experts
8. A. Regnery T. Dailey	$ 482	Dec. 13-14, 1982	Hilton Head Island, SC, participate in 2nd Annual Southern Legislators Conference
9. A. Regnery T. Dailey	$ 328	Dec. 8-9, 1982	New York, NY, meet juvenile justice experts
10. A. Regnery T. Dailey	$ 222	Apr. 14, 1983	Boston, MA, discuss proposal to hold executive sessions at Harvard University

U.S. Department of Justice

Washington, D.C. 20530

November 2, 1983

Mr. William J. Anderson
Director
General Government Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Anderson:

This letter responds to your request to the Attorney General for the comments of the Department of Justice (Department) on your proposed letter report to Congressman Ike F. Andrews entitled "Travel by the Office of Juvenile Justice and Delinquency Prevention's Administrator and his Staff was Reasonable and Appropriate."

The Department has reviewed the travel data shown in your report for the six individuals listed for the 6-month period ended May 31, 1983. We consider the details of the travel as described in the report to be substantially correct and find no reason for further comment.

We appreciate the opportunity to review the report while in draft form.

Sincerely,

Kevin D. Rooney

Kevin D. Rooney
Assistant Attorney General
for Administration

NOV 30 1983

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

November 30, 1983

B-202245

The Honorable Ike F. Andrews
Chairman, Subcommittee on Human
  Resources
Committee on Education and Labor
House of Representatives

Dear Mr. Chairman:

Subject: Appointments To And Operations Of The National Advisory Committee For Juvenile Justice and Delinquency Prevention (GAO/GGD-84-8)

This letter is one of a series which will address the concerns in your April 29, 1983, request about the manner in which the Office of Juvenile Justice and Delinquency Prevention is implementing the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.). In response to one of your concerns, we have reviewed the activities of the National Advisory Committee for Juvenile Justice and Delinquency Prevention for fiscal years 1982 and 1983. You asked us to determine whether the Advisory Committee has been operating in compliance with the act since January 1981 with regard to the appointment of members, the existence of a quorum to conduct official business, and the use of public funds for meetings lacking a quorum.

We studied the original act and its amendments and legislative history to determine how members should be appointed to the Advisory Committee and how it should operate. We also considered the legal opinion on these matters prepared by the legal counsel to the Office of Juvenile Justice and Delinquency Prevention. Our work was performed at this Office in Washington, D.C., and was done in accordance with generally accepted government auditing standards.

We found that the appointments to and operation of the Advisory Committee, since January 1981, did not comply with the act in the following ways:

(185997)

- --The President did not appoint new members to the Advisory Committee within 90 days after prior members resigned in January 1981.
- --Due to the delays in these appointments of new members, the Advisory Committee did not have sufficient membership to form a quorum until November 1982 and was therefore unable to hold quarterly meetings or transact official business until that date.
- --The President did not appoint any members under the age of 24 until November 1982 and did not appoint two youth members with experience under the juvenile justice system's jurisdiction until July 1983. As a result, the views of youth members were not represented on the Advisory Committee as required by the act.

We also reviewed the propriety of two meetings held without a quorum by the newly appointed members of the Advisory Committee prior to November 1982. We found that the purpose of these meetings--to brief members on federal juvenile justice activities--was closely related to the committee's function as an advisory group. Although the two meetings lacked a quorum and could not be considered official meetings of the Advisory Committee as a legally constituted body, they were legitimate activities in preparation for official meetings. Thus the expenditure of public funds was authorized and proper.

NATIONAL ADVISORY COMMITTEE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Section 207 of the act established the 15-member Advisory Committee and requires it to meet at least quarterly. The President is required to appoint members for 3-year terms who have special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice. The act provides that five of the members must be under 24 years old when appointed and that at least two of these members be or have been under the jurisdiction of the juvenile justice system.

The purpose of the Advisory Committee is to

- --review and evaluate federal policies and activities affecting juvenile justice and delinquency prevention;
- --advise the Administrator, Office of Juvenile Justice and Delinquency Prevention, about its conclusions on the Office's activities;

--advise the National Institute of Justice and the National Institute for Juvenile Justice and Delinquency Prevention about those policies and activities which concern juvenile justice and delinquency prevention, research, evaluation, and training;

--make refinements to standards for the administration of juvenile justice at the federal, state, and local levels, and recommend action to facilitate the adoption of such standards; and

--submit interim and annual reports to the President and the Congress on its activities, findings, and recommendations.

DELAYS IN APPOINTMENTS INTERRUPTED ADVISORY COMMITTEE OPERATIONS

All 15 Advisory Committee members resigned in January 1981 when President Reagan took office. Section 207(b)(2) of the act requires the President to fill vacant positions on the Advisory Committee within 90 days after they occur. However, the President's first nine appointments were not made until May 1982 (16 months later). Three more vacancies were filled in November 1982, one in January 1983, and the last two in July 1983. (See enc.)

The purpose of the 90-day requirement is to prevent long interruptions in the Advisory Committee's ability to conduct official business as a legally constituted body. However, the 16 to 30 months taken to fill the 15 Advisory Committee vacancies resulted in such an interruption. Additionally, the 22 to 30 months taken to appoint the five youth members (including two persons under the age of 24 having experience under the juvenile justice system's jurisdiction) prevented the Advisory Committee from having the composition of members as required by the act.

The President did not appoint sufficient members to the Advisory Committee to form a quorum until November 1982 when the three appointments made then raised the total membership to 12. Section 207(c) of the act establishes a quorum of 10 members and requires the Advisory Committee to meet at least quarterly. Consequently, the Advisory Committee was unable to conduct official business or to hold the required quarterly meetings as a legally constituted body prior to November 1982.

The President did not appoint any youth members until November 1982 and did not appoint the required youths with experience under the juvenile justice system's jurisdiction until July 1983. These delays violated Section 207(a)(3) of the act which requires that the views of young people, including those with experience in the juvenile justice system, be represented on the Advisory Committee. Thus, the Advisory Committee's composition did not fully meet the intent of the act until July 1983.

ADVISORY COMMITTEE MEETINGS PRIOR TO NOVEMBER 1982 LACKED LEGAL EFFECT BUT EXPENSES INCURRED WERE PROPER

The Advisory Committee was unable to conduct official business as a legally constituted body between January 1981 and November 1982 because it lacked sufficient members to form a quorum. However, the nine Advisory Committee members appointed in May 1982 held two meetings prior to November 1982. These two meetings, held in June and September 1982 cost the Office of Juvenile Justice and Delinquency Prevention $35,393. Although actions of the Advisory Committee members at these two meetings lacked legal effect due to the absence of a quorum, these meetings were legitimate activities in preparation for official meetings. Therefore, the expenses incurred at these two meetings represent proper expenditures of public funds.

The first meeting was held in June 1982. The minutes of this meeting noted that a quorum was lacking and stated that the purpose of the meeting was for the Office to brief the members on federal activities in the juvenile justice area and for the members to share their views on possible future actions of the Advisory Committee. One matter considered at the meeting was the development of model standards for the administration of juvenile justice at the federal, state, and local levels. The members were advised by the Office that the National Institute for Juvenile Justice and Delinquency Prevention had issued a request for proposals to develop a standards research and demonstration program. The members expressed concern about the timing and format of the solicitation, and the consensus of the meeting was that the solicitation should be withdrawn to allow the Advisory Committee time to study the issue. As a result, the Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, and the Director, National Institute For Juvenile Justice and Delinquency Prevention, agreed at the meeting to cancel the solicitation and did so the following day.

The second meeting was held in September 1982. The members formally voted on and passed several motions, including one advising the Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, not to proceed with implementing model standards.

The actions taken by the Advisory Committee members at the meetings in June and September 1982 do not constitute official actions and had no legal effect because a quorum was lacking at both meetings. However, the absence of a quorum does not affect the propriety of expenditures for these meetings. The two meetings in 1982 were primarily briefings for the newly appointed members on various aspects of federal activities in the juvenile justice area--a purpose closely related to the Advisory Committee's function. Thus, we believe that expenses incurred in connection with the two meetings were proper expenditures of public funds.

AGENCY COMMENTS

In commenting on our draft report, the Department of Justice generally agreed with our findings. The Department also stated that the President did not appoint new members to the Advisory Committee because the Office of Juvenile Justice and Delinquency Prevention was slated for elimination in 1981. Thus the appointment process began in early 1982 when it became evident that the Office would continue.

- - - -

We would be pleased to meet with you or your staff if you desire any additional information on this matter. As arranged with your office, we are sending copies of this report to the President; the Attorney General; and the Administrator, Office of Juvenile Justice and Delinquency Prevention. Copies will also be sent to other interested parties who request them.

Sincerely yours,

William J. Anderson
Director

Enclosure

ENCLOSURE ENCLOSURE

Advisory Committee
Membership and Appointments
July 1983

Member	Age at appointment	Appointment date	Months vacant
Charles B. Wilkinson	66	May 1982	16
Joseph G. Betroche	48	May 1982	16
James C. Dobson, Jr.	46	May 1982	16
William L. Hart	58	May 1982	16
Edward V. Healey, Jr.	59	May 1982	16
John R. Milligan	54	May 1982	16
Richard D. Parsons	34	May 1982	16
Stephen E. Wittman	35	May 1982	16
Charles Wright	63	May 1982	16
Beverly A. Scherling	52	November 1982	22
Alan B. Moore	17	November 1982	22
Donna M. Smith	19	November 1982	22
Sylvester E. Williams, IV.	21	January 1983	24
John L. Rouse, Jr. [1]	18	July 1983	30
Keith T. Koppenhoefer [1]	19	July 1983	30

---

[1] Members with experience under the juvenile justice system's jurisdiction.

BY THE U.S. GENERAL ACCOUNTING OFFICE

Report To The Chairman, Subcommittee On Human Resources Committee On Education And Labor House Of Representatives

---

Federally Supported Centers Provide Needed Services For Runaways And Homeless Youths

The Runaway and Homeless Youth Act authorizes funds for centers that give temporary shelter to youths who have run away from home, left their homes permanently, or been definitively expelled by their families. Centers are to provide counseling and aftercare for youths and their families as well as to find appropriate living situations for the youths.

GAO's review of the operations and services of 17 of these centers across the country found that the youths who were served, the centers' environments, and the services that were provided were generally those that had been anticipated in the statute. Youths, parents, staff members, and community service personnel were in agreement that the program is important and that its services are useful.

GAO believes, however, that more guidance is required from the Secretary of Health and Human Services regarding the priorities that centers should give to aftercare services versus crisis intervention, to outreach efforts to youths who are at risk on the streets versus youths who are referred, and to activities that develop coping and living skills versus those that provide unstructured free time.

GAO/IPE-83-7
SEPTEMBER 26, 1983

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

INSTITUTE FOR PROGRAM
EVALUATION

B-207593

The Honorable Ike Andrews
Chairman, Subcommittee on Human Resources
Committee on Education and Labor
House of Representatives

Dear Mr. Chairman:

This report summarizes the results of our review of the Runaway and Homeless Youth Program authorized under title III of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. As you requested, we examined the services offered by centers for runaways and homeless youths, the characteristics of the youths served, the environment of the centers, and perceptions of service and operations from youths, parents, staff, and community service people. As requested, we testified on our findings for your Subcommittee on May 5, 1982.

We sought comments on the report from the U.S. Department of Health and Human Services. The response concurs with our observations and is included in the report as appendix IV. As we discussed with your office, we are sending copies of this report to the Secretary of Health and Human Services, the Senate Committee on the Judiciary, the House Select Committee on Children, Youth and Families, and the Senate Committee on Labor and Human Resources.

Sincerely,

Eleanor Chelimsky

Eleanor Chelimsky
Director

GENERAL ACCOUNTING OFFICE
REPORT TO THE CHAIRMAN
SUBCOMMITTEE ON HUMAN RESOURCES
COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

FEDERALLY SUPPORTED CENTERS PROVIDE NEEDED SERVICES FOR RUNAWAYS AND HOMELESS YOUTHS

DIGEST

The Runaway and Homeless Youth Act authorizes funds under the Juvenile Justice and Delinquency Prevention Act of 1974 for community-based centers that serve the immediate shelter needs of youths who have run away from home or are homeless because they have permanently left home or have been definitively expelled from home by their families. Centers are to provide counseling and aftercare to youths and their families as well as to arrange appropriate living situations for the youths following the shelter period. Estimates of the number of runaways and homeless youths nationwide range from 733,000 to 1,300,000. The number of these youths has increased in recent years, and the likelihood that they will be victimized or become delinquent is a societal concern.

At the request of the Chairman of the Subcommittee on Human Resources of the House Committee on Education and Labor, GAO examined some of the local operations and delivery of services under the National Runaway and Homeless Youth Program in order to answer the following questions:

--Who participates in the Program?

--What services does it offer?

--What is the environment of the centers?

--What do the youths and their families, the staff at the centers, and other service personnel in the communities think about the centers' services and operations?

To answer these questions, GAO visited 17 runaway and homeless youth centers in 13 states. GAO observed their program operations and collected statistical information from the administrators. GAO interviewed 353 persons who were associated with the centers, including youths who had resided or were then residing there, parents of former residents, administrative and counseling staff members, and community service personnel--that is, people in the social service agencies, the juvenile justice system, the police departments, and the schools.

WHO WERE THE YOUTHS THE CENTERS SERVED?

The majority of the youths who were given shelter at the 17 centers had come from the immediate geographic area. They had been referred to a center by social service agencies, juvenile justice authorities, police, or school personnel and had been brought there by them or by parents or other relatives. They had not resided at that center before. (pp. 6-8)

Most of the centers did not admit psychotic, violent, and drug-addicted youths. At the majority of the centers, staff members' estimates of the percentage of their clients who had been physically abused were in the range of 20 to 40 percent. Their estimates of sexual abuse were in the range of 8 percent or less, and their estimates of those who had been victims of parental neglect were in the range of 14 to 35 percent. (pp. 6-7)

WHAT WERE THE SERVICES THE CENTERS OFFERED?

Center staff and community service personnel believed that the centers met the youths' most pressing needs by providing them with shelter and counseling and by helping their families get involved in solving their problems. All the centers engaged in a variety of outreach activities, including advertising and making speeches and school contacts, but only three conducted outreach activities on the streets where the runaways and homeless youths congregated. (pp. 9-11)

Centers are intended to be short-term residential facilities. Program regulations establish the maximum number of days of temporary shelter at 15. Runaways stayed an average of 15 days or less at all centers; homeless youths stayed an average of 15 days or less at all but 4 centers. These 4 reported an average length of stay for homeless youths ranging from 25 to 32 days. Most centers that reported long periods of residence for homeless youths especially noted the insufficiency of placement options for these youths. (pp. 9-13)

At all the centers, the youths typically participated weekly in at least three individual counseling sessions, one to four group counseling sessions, and one or two family counseling sessions, where their families were willing to participate. All the centers tried to make contact with parents or guardians within 24 hours of a youth's arrival, and the parents that GAO interviewed indicated that this policy was almost always carried out. (pp. 10-12)

Fifty percent of the youths who were given shelter at the centers in 1980 returned to their parents or other relatives. Although the staff members believed that counseling was the most pressing need that the youths had after the shelter period, no more than 50 percent were counseled after they left the centers. The problems in providing aftercare that were most frequently noted by staff were a lack of staff, families' refusing to participate, and youths' or families' leaving the area. (pp. 12-14)

WHAT WAS THE ENVIRONMENT OF THE CENTERS?

The majority of the centers seemed to be well-kept, clean, and adequately furnished. All but one met the required capacity of 20 youths. All but one had written rules of behavior. Youths were required at all centers to obtain permission from the staff or be accompanied by an adult in order to leave the shelter for a few hours. At the majority of centers, they were required to abide by a daily schedule for waking, eating, attending counseling sessions, returning after being away, and going to bed. At the majority of the centers, youths had 3 to 4 hours of unstructured supervised time each day. Staff reported that the unstructured time facilitated a cooling-off period for the youths. They also believed that some of this time could have been better spent if staff and money were available for educating the youths, developing their skills, and taking them on outings. (pp. 15-16)

The majority of the centers had 4 to 7 paid and 1 to 6 volunteer counselors. Of the paid counselors, 78 percent had at least a bachelor's degree and 26 percent had completed graduate degrees. (pp. 17-18)

HOW DID THE PARTICIPANTS PERCEIVE THE CENTERS' SERVICES AND OPERATIONS?

The community service personnel whom GAO interviewed said that the very fact of the shelter program's existence was its greatest strength. The youths agreed. Other strengths mentioned were the centers' counseling and intervention services, family involvement, and dedicated and well-qualified staff. (pp. 19-20)

Community service staff and the staff at the centers identified inadequate funding as an important weakness in the program. (p. 20)

Participants' suggestions for improvement included the expansion of outreach and prevention services, of networking with other agencies, and of activities and training for youths and the enhancement of the physical condition of the shelters. (p. 20)

CONCLUDING OBSERVATIONS

GAO's findings are generally favorable. The youths who were served by the centers that GAO reviewed appeared to be those who had been anticipated in the statute, and so did the services that the centers offered. The environment of the centers was consistent with the statute's goals. The 353 youths, parents, staff members, and community service personnel whom GAO interviewed seemed to have a favorable view of the importance of the program and the usefulness of its services. (p. 22)

GAO believes, however, that more guidance is required from the Secretary of Health and Human Services regarding the priorities that centers should give to aftercare services versus crisis intervention, to outreach efforts to youths who are at risk on the streets versus youths who are referred, and to activities that develop coping and living skills versus those that provide unstructured free time. (pp. 22-23)

HHS concurred with GAO's assessment of the Program and with GAO's concluding observations. (pp. 31-33)

CHAPTER 1

INTRODUCTION

The Runaway and Homeless Youth Act (title III of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended) authorizes funds for community-based programs that primarily serve the immediate needs of youths who have run away from home and their families, as well as youths who are homeless--that is, youths who have no home to which they can return. The regulations for the National Runaway and Homeless Youth Program include, under "immediate needs," temporary shelter and counseling and aftercare services. The regulations define "runaway youths" as persons younger than 18 who absent themselves from their homes or legal residences without the permission of parents or legal guardians. "Homeless youths" are defined in the regulations as persons younger than 18 who need services because they are without shelter, supervision, and care.

According to the legislation, the Congress enacted the Program because it was particularly concerned about young people who, without resources or shelter, face the dangers of living on the street and create substantial law enforcement problems for the communities they live in and run to. The Runaway and Homeless Youth Act authorizes grants to public and nonprofit private agencies and to coordinated networks of such agencies for the purpose of establishing locally controlled facilities and a national communications system. Funds are also authorized for the provision of technical assistance and short-term training to the members of the staff of State and local governments and nonprofit private agencies who are involved with the Program.

THE PROBLEM OF RUNAWAYS AND HOMELESS YOUTHS

While running away from home is a family problem that has venerable roots in American traditions, youths have many possible motivations for this behavior. For generations, young people have run away from their families because general conditions at home were intolerable, extending in some cases to pervasive neglect or abuse, or because specific family arguments, school-related troubles, or peer group problems triggered adolescent crises or because dreams of adventure suddenly became irresistible. More recently, for certain youths, running away has been part of a pattern of delinquent behavior or of mental or emotional disorder or both. Running away, therefore, reflects a number of very different situations. Depending on its cause and on other behavior associated with it, running away can be "a cry of pain, or a sign of health seeking surface."[1] It can be a one-time thing or part of a pattern of repeated acts, a point in a normal development process or a signal of delinquent behavior.

---

[1] Lillian Ambrosino, Runaways (Boston: Beacon Press, 1971), p. v.

In addition to being a family problem, running away has become a societal problem because of the increase in the number of runaway youths and the likelihood of their victimization and delinquent activity. Alone and without resources, often emotionally perturbed, runaways risk being victimized, becoming involved in prostitution, and being drawn into forms of delinquency that entail major costs to themselves, their families, their communities, and society.

Runaways are not the only youths who are at risk on the streets. "Pushouts" or "throwaways," youths who have been forced out by their families, have no place to return to and are indeed homeless. Like the runaways, some of them have been neglected or abused. Homeless youths, however, are in a circumstance that is different from that of many runaways. Reuniting the homeless with their families may be neither possible nor desirable. It may be much more difficult to find satisfactory solutions to their problems. The very fact of their homelessness may indicate a troubled family that does not want to take part in efforts to improve a youth's situation.

According to the national director of the Runaway and Homeless Youth Program, estimates of the number of runaways and homeless youths nationwide range between 733,000 and 1,300,000. These numbers must be considered in the context of current rates of reported juvenile crime, which continually increased between 1960 and 1976 and remain at a very high level. Insofar as running away and homelessness can be an immediate cause or a manifestation of delinquency and are likely to indicate a troubled family, many people believe that it is desirable to intervene, both to prevent the victimization and delinquency of youths and to help increase the stability of families.

The fact that the runaway and homeless youth problem is as ambiguous as it is argues for the use of certain criteria in specifying an intervention. For example, since running away can be a symptom of either normalcy or deviance, a program to cope with it should be flexible enough to encompass the spectrum of possible, greatly differing, appropriate activities, should be able to insure that the particular problems presented by each youth are carefully identified, and should be able to promote the best interests of not only the youths but also their families and society.

Both the high costs of involving the criminal justice system and the number of nondelinquent motives for running away point up the logic of locating a program outside the justice system while making it capable of triggering judicial, mental health, and other social service processes. Finally, the fact that some youths have been forced out of their homes by their families implies that places outside their homes must be made available for them and that it may take longer to help them than it takes to help runaways. The legislation and its history indicate that the Congress considered these and other criteria when it passed the Runaway and Homeless Youth Act.

THE NATIONAL RUNAWAY AND HOMELESS YOUTH PROGRAM

In the Runaway and Homeless Youth Act, the Congress specifically required that the system of temporary care it envisaged be developed outside the law enforcement and juvenile justice systems. It did this so that the problems of runaways and homeless youths would not swell the caseloads of police and judicial authorities, already overburdened with other tasks. By authorizing the funding of locally controlled, community-based facilities outside the juvenile justice system, the Congress also provided for informal cooling-off periods for youths and their families, so that strong feelings might subside with the least possible stigma and the smallest possible hiatus in their lives. Therefore, the National Runaway and Homeless Youth Program is operated outside the juvenile justice system by the Youth Development Bureau, which is part of the Administration for Children, Youth, and Families in the U.S. Department of Health and Human Services (HHS).

The current authorization for the Program is $25 million, and, for fiscal years 1978 through 1981, Federal appropriations were $11 million annually. The National Runaway and Homeless Youth Program is thus a small effort involving only 3 to 6 percent of the Nation's estimated runaways and homeless youths and a much tinier percentage of the Nation's young people. Centers are, however, located throughout the 50 States, the District of Columbia, and Puerto Rico, so that the Program covers a great deal of territory. Further, although Program funding remained stationary between 1978 and 1981, the number of funded centers varied from 158 to 169, and the number of youths temporarily sheltered or served in some other way by these centers (according to HHS figures) rose from 32,000 in fiscal year 1978 to 45,000 in fiscal year 1981. The number of one-time drop-in youths increased from 119,000 to 133,000 in roughly the same period. The national 24-hour toll-free hotline assisted approximately 200,000 youths and their families in fiscal year 1981.

OBJECTIVES, SCOPE, AND METHODOLOGY

We undertook our review at the request of the Chairman of the Subcommittee on Human Resources of the House Education and Labor Committee, who asked us to review local program operations and services of the National Runaway and Homeless Youth Program. (We have reprinted the original request in appendix I.) The Chairman asked us in particular to provide information on the following questions:

--Who participates in the National Runaway and Homeless Youth Program?

--What services does it offer?

--What is the environment at the centers that the Program offers for sheltering youths and providing them with other services?

--What do the youths and their families, the staff at the centers, and the community service personnel think about the centers' services and operations?

To answer these questions, we conducted what we call a "program operations and delivery of services examination," or PODSE. This is a method of systematically collecting information from a planned sample of sites and different types of people associated with a public program with the purpose of quickly answering descriptive questions posed by the Congress. During January and February 1982, two-member teams of evaluators made 2-day visits to each of 17 runaway and homeless youth centers and conducted interviews with staff, youths, parents, and community service personnel associated with each center. We also collected statistical information on operations for program year 1980 (July 1, 1980, through June 30, 1981) from administrators at 16 of these centers. The one we omitted had been newly established.

In deciding which variables to use for choosing the sample of sites, we examined the literature on runaways and homeless youths, especially documents on the national evaluation of the Runaway and Homeless Youth Program conducted by Berkeley Associates in 1977. We consulted with the congressional Subcommittee staff, interviewed HHS Program staff, and visited 3 runaway and homeless youth centers in the Washington, D.C., area. We then analyzed the applications for funds under the Program as our primary source of information on the centers that were funded under the Runaway and Homeless Youth Act.

We selected the 17 sites in our review to exemplify the diversity in the Program. The differences in their characteristics could potentially affect local program operations. Among these characteristics were the location (the 17 sites were located in 13 States and 7 of the 10 HHS regions, and they represented a mixture of urban, rural, and suburban areas) and the residential facilities (some were center-run shelters, some were host home programs in which youths reside with local families, and some were a combination of both). Other characteristics whose differences were important were years in operation and years of Federal funding (distinguishing established from new centers), changes in and amounts of Federal funding, and major sources of non-Federal funds. Still other characteristics were organizational affiliation (whether free-standing or affiliated with a parent organization), the numbers of youths served, and the major sources of referral to centers. We excluded centers in New York City and Los Angeles because of related GAO work on teenage prostitution in those cities. (Appendix II is a list of the 17 sample sites.)

We conducted structured interviews with youths, parents of former residents, center staff, and community service personnel associated with each of the 17 centers in order to present the views of a wide spectrum of people who participated in the Program. We interviewed 71 youths who had resided or were then residing at the centers and 51 parents of former residents. The administrative and counseling staff whom we interviewed included 17 members of boards of directors, the 17 center directors and 17 head counselors, 55 counselors, 8 host home parents, and 16 volunteers. Community service personnel included 16 law enforcement officers, 26 school guidance counselors and other staff, and 59 social service, welfare, and other community workers who referred youths to the centers or provided referral services to them, including finding places for youths who did not return to their immediate families or other relatives. In all, we interviewed 353 participants in the Program, in person or by telephone. We obtained the names of the parents of the former residents and of school, police, and community service personnel from center administrators. We interviewed almost all the centers' staff and the youths residing at each center. Our review was conducted in accordance with generally accepted government auditing standards. We began our work in October 1981, completed the analysis in 7 months, and presented our findings in May 1982. The present report documents that work.

REPORT OVERVIEW

In the five chapters that follow, we report our findings and conclusions. In chapter 2, we describe the characteristics of the youths who resided at the centers. In chapter 3, we discuss the services that the centers offered. In chapter 4, we present the environment of the centers. In chapter 5, we report the perceptions of the youths, family members, center staff, and community service personnel about the centers' services and operations. In chapter 6, we summarize the findings presented in chapters 2-5 and discuss issues that may warrant further consideration by the Secretary of Health and Human Services.

Four appendixes follow the text of the report. In appendix I, we reprint the congressional letter of request. In appendix II, we list the 17 runaway and homeless youth centers that we included in our review. In appendix III, we describe our procedures for selecting respondent groups, collecting information from them, and using that information to answer the study questions. In appendix IV, we reprint a letter from HHS commenting on a draft of the report.

CHAPTER 2

THE CHARACTERISTICS OF THE YOUTHS SERVED BY THE CENTERS

In legislating the Runaway and Homeless Youth Program, the Congress was particularly concerned about the young people who face the dangers of living on the street because they have run away or been expelled from their homes. In this chapter, we describe the youths who participated in the Runaway and Homeless Youth Program at the 17 centers we reviewed. We discuss the criteria the centers used for admitting them, report on the distances they had run to reach the centers, and describe the incidence of abuse or neglect they had suffered. We also discuss the percentages of youths who had been sheltered at each of the centers before. Finally, we present the sources that referred youths and their families to the centers.

WHAT WERE THE CENTERS' ADMISSION CRITERIA?

All 17 centers we visited reported that they admitted youths immediately if a youth's age and situation made this decision appropriate. All accepted youths up to the age of 18. They differed on what minimum age they admitted--12 centers served youths younger than 13 while 4 set the minimum age at 13 and 1 set the minimum age at 14. The 71 youths in our interview sample ranged in age from 12 to 18, the majority being between 15 and 16 years old. Of the 2 18-year-olds, 1 was a current resident and 1 was a former resident.

Directors at all the centers reported that they did not admit various types of young people. The three most common categories of exclusion were youths with severe emotional problems (such as psychosis), drug addicts, and youths dangerous to themselves and others (because they were violent or suicidal). Staff at the centers reported that youths in these categories were referred to other agencies, but we do not have information on the services they received there.

HOW FAR DID YOUTHS RUN?

As the Congress recognized in 1980, many runaways and homeless youths stay within their immediate geographic area. In program year 1980, 72 percent of the 3,673 youths who were sheltered by the centers we visited were from the immediate geographic area of the centers. The centers we visited in Miami and San Francisco had the greatest percentages of out-of-State youths, but even there only 20 percent came from outside the State borders. Thus, even in Miami and San Francisco, which have the reputation of drawing runaways and homeless youths from far away, as many as 80 percent were from the immediate geographic area.

WHAT WAS THE INCIDENCE OF PHYSICAL AND SEXUAL ABUSE AND NEGLECT?

Many runaways and homeless youths suffer from physical and sexual abuse. Staff estimates of the percentage of their clients who had been physically abused varied widely across the centers. At the majority of the centers, staff estimates of the incidence of physical abuse were in the range of 20 to 40 percent. Their estimates of the percentage of youths who had been sexually abused were lower but also varied widely. The majority put the estimated percentage at 8 percent or less.

In addition to suffering from physical and sexual abuse, runaways and homeless youths may be victims of neglect, not having been given adequate food, clothing, shelter, education, health care, or the like. Staff estimates of the percentage of neglected youths at 11 of the centers were in the range of 14 to 35 percent. Estimates at the 6 others ranged from 50 to 100 percent.

HOW MANY YOUTHS HAD BEEN SHELTERED BEFORE?

Estimates of the percentage of youths who had been sheltered in 1980 and also sheltered at the same center before were as low as 1 percent at one center and as high as 40 percent at another. An estimated 20 percent of the youths at all 17 centers were repeat clients. Of the 71 youths we interviewed, 18 percent had previously been sheltered by the center in which they were then residing.

WHO REFERRED YOUTHS TO THE CENTERS?

Staff at almost all the centers we visited reported a change in the pattern of referrals over the past few years. They noted as major changes that there were fewer self-referrals and more referrals from social service agencies and school personnel. According to the professional service providers we interviewed, the youths they referred to the centers included both their own clients and other youths and parents who called to ask for assistance. All the providers referred youths for shelter, but only 33 percent said they referred youths for drop-in counseling as well. When shelters were full, professional service providers, police, and school personnel said they referred runaways and homeless youths most frequently to social service agencies, local emergency shelters, or juvenile detention facilities or else returned them to their parents.

According to staff, youths who referred themselves or were referred by family or friends accounted for the majority of the sheltered clients at only 2 of the centers we visited. (These referrals ranged from 15 to 85 percent across the sites.) In contrast, referrals by police, school personnel, and professional service providers (social service agencies, juvenile justice authorities, and the like) accounted for the majority of the clients at 12 centers. (These referrals ranged from 25 to 85 percent across the sites.) At 2 centers no predominant pattern emerged. The other center was newly established.

When we interviewed the youths, we learned how they first found out about the centers and who, if anyone, accompanied them there. Fifty-one percent had learned about the centers from professional service providers, police, and school personnel. The remaining 49 percent had heard about them on radio or television, from a hotline, or from parents or friends. About 33 percent of the youths in our sample had actually been brought to a center by professional service providers, police, or school personnel, 28 percent had arrived by themselves, and 21 percent had been accompanied by parents or relatives. Fifteen percent had been brought by friends or staff, and the remaining 3 percent were not initially counseled at a center.

SUMMARY

All the 17 centers that we visited reported that they admitted youths immediately if a youth's age and situation made this decision appropriate, and they excluded psychotic, violent, and drug-addicted youths. Most youths sheltered at the centers were from the immediate geographic area. Estimates indicate that 20-40 percent had been physically abused, fewer than 8 percent had been sexually abused, and 14-35 percent had been victims of neglect. They tended not to have resided at the same center before, and at a majority of the centers more than half were referred by social service agencies, juvenile justice authorities, police, or school personnel.

CHAPTER 3

THE SERVICES THE CENTERS OFFERED

In this chapter, we describe the services that were provided to youths and their families at the centers we visited. We discuss in turn the basic services, the average length of time youths were sheltered, counseling services, the participation of families in the centers' activities, and what happened to clients after they left the shelters. The Runaway and Homeless Youth Act emphasizes that youths' parents or relatives should be contacted if State law requires this, that children should be reunited with their families whenever possible, and that the resolution of family problems through counseling and other services should be encouraged.

WHAT SERVICES DID THE CENTERS PROVIDE?

Center staff and community service personnel believed that the centers met the most pressing needs youths had by providing them with shelter and counseling and by helping their families get involved in solving their problems whenever this was possible. Most of the centers also provided, directly or by referral, drop-in counseling, clothing, transportation, youth advocacy, medical assistance, legal counseling, vocational counseling, follow-up and aftercare services, placement services, and a 24-hour hotline. All the centers also engaged in a variety of outreach activities, including advertising and making speeches and school contacts. Staff at 3 centers reported that they conducted outreach activities on the streets where runaways and homeless youths congregated.

In 1980, the centers in our sample sheltered a total of 3,673 youths. The numbers differed greatly from center to center. Eight percent of the total were sheltered by the 3 host home programs included in the sample; the numbers of youths sheltered at these host homes were 19, 29, and 259. The remaining centers sheltered from 52 to 617 youths, the average being 259.

All centers provided meals. The sheltered youths we interviewed at 14 of the 17 centers reported receiving at least three meals a day. Youths at 2 centers said they received two meals a day. We interviewed only drop-in clients at the remaining site and they did not receive any meals.

In 1980, 14 centers served 2,435 drop-in clients who were not sheltered and 10,104 phone clients. The numbers of drop-ins at these centers ranged from 10 to 742, with an average of 174. Phone clients at these centers ranged in number from 62 to 4,066, with an average of 722.

WHAT WAS THE AVERAGE LENGTH OF STAY?

Runaways and homeless youths were sheltered for varying lengths of time. The Program's regulations establish the maximum number of days of temporary shelter at 15. The average length of stay for runaways ranged between 3 and 7 days at 8 of the centers we visited. At the 9 other centers, the average length of stay for runaways ranged between 8 and 15 days.

Homeless youths presented a different picture because their problems are different. Sixteen of the 17 centers served homeless youths in program year 1980. The average length of stay for the homeless youths ranged between 4 and 7 days at 4 of the centers. Eight centers reported an average length of stay in the range of 7.5 to 15 days.

The 4 other centers each reported an average length of stay for homeless youths in the range of 25 to 32 days. These 4 sites, located in urban and suburban areas of various size, did not share a common set of geographic characteristics. Staff there mentioned, as the most frequent reasons for the longer lengths of stay, few places for youths to go after the shelter period and long social-service and court-processing time.

WHAT COUNSELING SERVICES DID CLIENTS RECEIVE DURING THE SHELTER PERIOD?

According to the members of the counseling staff we interviewed, counseling had two main goals--improving youths' coping and living skills and reuniting them with their families whenever possible. Staff offered individual, group, and family counseling during the shelter period. Which services each client received depended on the severity of the problem, the length of the youth's stay, the number of other youths in residence, and the family's willingness to participate.

The staff at the 17 centers we visited reported that youths typically participated in at least three individual counseling sessions each week. At 11 centers, they reported that some participated in as many as seven or more individual counseling sessions each week.

Almost all the youths we interviewed reported receiving individual counseling during the shelter period. The majority had already participated in at least three counseling sessions when we interviewed them. Youths at 10 centers said that individual counseling was available as often as they needed it. However, six youths at 2 centers said they had not had individual counseling.

Group counseling was typically available. Only 2 centers did not offer it. The number of group counseling sessions in a typical week differed greatly, however. Eight centers conducted anywhere from one to four group sessions in a week; 7 conducted five or more.

Family counseling was available at all 17 sites. The staff reported that in a typical week they held at least one or two family counseling sessions for every youth whose family was willing to participate.

HOW DID THE CENTERS INVOLVE FAMILIES?

In the legislation, the Congress placed particular emphasis on the centers' reuniting youths with their families and encouraging the resolution of family problems through counseling and other services. In fact, the centers attempted to involve families in a variety of ways. One center director told us that "A kid in trouble is a family in trouble. We do everything in our power to involve the family."

Family involvement began with a contact initiated by a center. The staff at almost all the centers reported that they attempted to obtain the parents' permission to shelter a young person. The policy at all the centers was to make contact with a parent or a guardian within 24 hours of a youth's arrival. Nine centers had the policy of calling within 3 hours. When we interviewed parents of former clients, 44 of the 51 parents recalled the time in which the centers had made contact with them, 43 reporting that the centers had told them within 24 hours that their children had arrived.

Although the initial call had no one format common to all the centers, we found that several topics were typical. Staff at the majority of the centers attempted to set up an appointment with families during the initial call. Many also told the parents that their children were safe, explained the program, and began exploring the problem from the parents' point of view.

Centers differed greatly in the percentage of families who participated in family counseling. The percentages ranged from 6 to 98 percent. Thirteen centers were in the range of 29 to 75 percent. Among the 51 parents whom we interviewed, 92 percent had met with center staff and 55 percent had met with center staff at least four times.

Family counseling obviously depends on both youths' and parents' or guardians' participating. One center director commented that a youth's willingness to participate in family counseling was a prerequisite to being sheltered. The staff at the majority of the centers reported that, during the shelter period, youths were basically interested in resolving their family difficulties. One head counselor noted that most youths "have a hunger to resolve family problems." About homeless youths and youths who have been abused, however, the staff reported that the interest in resolving family problems was more varied.

WHAT DID FAMILY COUNSELING CONSIST OF DURING THE SHELTER PERIOD?

At the centers we visited, family counseling during the shelter period included intervening in the crisis situation (getting the problem under control and reducing the tension in an emotionally charged situation), identifying the problem, improving family communication, and making referrals for extended family counseling. Specific activities in family counseling included drawing up goals and contracts, getting everyone involved and talking to one another, and reuniting the family.

Fifteen of the 17 centers reported that staff typically met with families at least twice during the shelter period. Staff at 6 of these 15 centers typically met with them four or more times.

At all the centers in our sample, parents were able to call or visit their children. At the 6 sites where parents did not know the shelter or host home location, they were able to arrange a visit with their children at a "neutral" site or at home. At all the centers, except for one host home program, youths were able to call their parents at any time or with permission.

WHAT WAS THE INCIDENCE OF ARREST DURING THE SHELTER PERIOD?

We asked the directors and law enforcement personnel about whether youths were arrested, while residing at the centers, for offenses such as trespass, assault, shoplifting, car theft, and breaking and entering. At 14 of the 17 centers we visited, estimates of the average number of arrests ranged between 0 and 1 a year. At 7 of these 14 centers, no arrests were reported. At the 3 other centers, the police and directors differed in their estimates, citing as few as 1 or as many as 6 arrests a year.

WHERE WERE YOUTHS PLACED AFTER THE SHELTER PERIOD?

At all the centers we visited, staff reported that everyone--youths, families, center staff, and community service personnel--typically participated in placement decisions. At 5 centers, placements with the immediate family or other relatives ranged from 21 to 46 percent of the youths in 1980. At 8 centers, the range was 52 to 63 percent. The 4 other centers ranged from 70 to 97 percent. Fifty percent of all the youths who were sheltered at the 17 centers were placed with their immediate families or other relatives in 1980. The most frequently used alternative placements included foster homes, group homes, and independent living arrangements.

At 11 of the 17 centers we visited, directors and head counselors stated that placement options were insufficient within their geographic areas. They mentioned gaps in long-term placement options slightly more often than gaps in interim placement. Other specific gaps they mentioned included the options of placing youths in foster homes, group homes, and specialized facilities, such as homes for emotionally disturbed youths. Most centers that reported long periods of residence for homeless youths especially noted the insufficiency of placement options for them.

HOW MANY YOUTHS ACCEPTED PLACEMENT?

Not all youths waited for or accepted permanent placement. According to the staff, reasons for youths' prematurely leaving the centers included restrictive house rules, arguments with parents, and dissatisfaction with where they were to reside after leaving the centers. Staff at 11 centers reported that in 1980 10 percent or fewer of the youths left before placement could be made. At 3 other sites, this varied from 11 to 15 percent; at 2, it varied from 23 to 30 percent. One center was not in operation in 1980.

Of these figures, the highest, 30 percent, was reported by the center that sheltered 617 youths in 1980, the greatest number sheltered in all the sites we visited. The director of this center, which is located in a large urban community, noted that most of the youths who left the center before they were placed did not stay on the streets but went to live with friends in the area.

When youths left a center without permission, a parent or guardian was notified at all sites. Staff at 15 centers said they also notified the police. The majority also made contact with social workers, probation officers, and other community service personnel.

WHAT SERVICES WERE AVAILABLE AFTER THE SHELTER PERIOD?

Some youths who were reunited with their families or accepted alternative placement also received services from the centers after they left. "Follow-up" care included checking up on them to verify their safe arrival and calling them on the phone to determine their progress. Staff at 9 of the 17 centers estimated that at least 75 percent of their clients received these services. Six centers estimated that 50 percent or fewer of their clients received them.

Center staff also provided "aftercare" services, defined in the Program's regulations as being intended to alleviate the problems that contributed to youths' running away or being homeless. Staff at 12 of the centers we visited estimated that 50 percent or fewer of the youths who had resided there received these services. Staff at 3 sites, however, estimated that at least 75 percent received aftercare services from the staff.

Similarly, family participation in aftercare counseling was quite varied. Eight centers typically met with families two times or more after the shelter period, but 9 centers estimated that their meetings with families were limited to, at most, one session. Centers also referred youths to other agencies for aftercare, but we do not have information on how many availed themselves of these services.

Although center staff believed that the most pressing need youths have after the shelter period is for counseling, they reported numerous problems in providing it. The problems they reported most frequently were a lack of staff, families' refusing to participate, and youths' or families' leaving the area.

SUMMARY

The 17 centers that we visited met the three most pressing needs of the youths who came to them by giving them shelter and counseling and getting their families involved in solving their problems. The numbers of youths the centers sheltered in 1980 varied greatly, ranging from as few as 19 to as many as 617 in a total of 3,673. Excluding host home programs, the average for 14 centers was 259 youths. Average lengths of stay for runaways ranged from 3 to 15 days. Average lengths of stay for homeless youths varied from 4 to 15 days at all but 4 centers, each of which reported that homeless youths stayed 25 to 32 days on the average.

Individual and family counseling were available at all the centers; group counseling was available at most. All tried to make contact with parents or guardians within 24 hours of a youth's arrival, and interviews with parents indicated that this policy was carried out in almost all cases. Fifty percent of the youths who were sheltered by the centers in 1980 returned to their immediate families or other relatives. The average number of arrests for offenses committed by youths while in residence ranged from none to one a year at most of the centers.

In 1980, 10 percent or fewer of the youths who were sheltered at the majority of the centers left on their own before they were placed; at 2 centers, 23 to 30 percent left. According to staff, the youths' reasons for leaving included restrictive house rules, arguments with parents, and dissatisfaction with where they were to reside after leaving the centers.

Staff at the majority of the centers said there were not enough places for youths to go for the long term after the shelter period. Fewer than half of the youths received aftercare service from the centers, even though the Program's regulations set it forth as one of the immediate needs of runaways and homeless youths.

CHAPTER 4

THE ENVIRONMENT OF THE CENTERS

The environment of a center that serves runaways and homeless youths is not restricted to physical characteristics such as the condition of the shelter, its capacity, and the ease of access to it by public transportation. People, patterns of behavior, and policies also contribute to a center's environment. As we discuss it here, environment includes the physical characteristics of the centers and the rules and procedures governing the behavior of the residents at them, the educational qualifications of the staff members, and staffing patterns throughout a typical week.

WHAT WERE THE PHYSICAL CHARACTERISTICS OF THE CENTERS?

The majority of the centers we visited seemed to be well-kept, clean, and adequately (but not luxuriously) furnished. Three were run down but habitable. All center-run shelters but one met the required maximum capacity of 20 youths. Five center-run shelters had 6 to 8 beds, and 8 had 10 to 14 beds. One had 24 beds. Boys and girls had separate sleeping rooms in all the shelters and host homes in our sample.

The centers also varied in the number of beds they had in a room. Ten centers had 2 to 8 beds in each sleeping room; 3 had no more than 2 beds in each room. One center had 8 beds in one bedroom and 16 in another. All the centers had limited space for youths to put their personal belongings, varying from one or two bureau drawers each to whole bureaus and shared closets.

Local public transportation was available to 15 of the 17 centers. The 2 other centers, in rural areas, were without local public transportation.

WHAT WERE THE CENTERS' RULES AND PROCEDURES?

With one exception, all the centers we visited had written rules governing the behavior of the youths while in residence. The exception had developed individual rules in consultation with host home parents. Rules were presented to youths when they arrived. Fourteen of the centers with written rules required them to sign an agreement that they would abide by the rules while they resided there.

The rules covered a variety of topics. Sexual contact was prohibited in all the centers that housed both boys and girls in the same facility. Other prohibitions included those against violence, drugs, alcohol, possession of weapons, and stealing.

At the majority of the centers, written rules also specified procedures for leaving the shelter, using the phone, receiving visitors, and maintaining personal belongings. At all but one, resident youths had to perform daily chores; at that one, a host home program, youths were not permitted to remain with any host home family for more than one night. Youths at the majority of the centers were also required to abide by a daily schedule for waking, eating, attending counseling sessions, returning to the center after being away, and going to bed.

All the centers had specific procedures for youths who wanted to leave the shelter for a few hours. They required them to obtain permission from a staff member or be accompanied by an adult. Fourteen reported using one or more of the following methods to monitor youths while they were away from the shelter--verification of their whereabouts while they were away (calling the school, for example), adult supervision, and verification of where they had been when they returned (requiring them to produce ticket stubs, for example).

Almost all the centers reported imposing extra chores or restrictions (early bedtime, loss of phone privileges) for rules violations. At 8 centers, staff volunteered that they told youths to leave when these violations were serious or continued. Of the 65 sheltered clients we interviewed, 53 (82 percent) told us that the shelter rules were strictly enforced.

Some youths attended local schools while they resided at the shelters, but the attendance rates that the centers reported differed considerably. At 3 centers, 5 to 15 percent of the resident youths attended school; at 7 centers, 40 to 75 percent did; at 7 other centers, 80 to 100 percent did. Youths attended public schools at all the sites, but one also maintained a campus school.

In addition to requiring certain activities, staff allowed youths some free time. Staff estimates of unstructured time ranged from 2 to 8 hours a day, the differences depending on whether youths were in school. At the majority of the centers, the youths had 3 to 4 hours of unstructured but supervised time per day.

Staff reported that unstructured time had both its positive and its negative aspects. On the one hand, unstructured time enabled youths to be by themselves, to evaluate their own situations, and to feel some relief from the emotional stress in the living situations they had come from. On the other hand, staff believed that some of the unstructured time could have been better spent if staff and money were available for education, developing skills, and taking outings.

HOW WERE THE CENTERS ORGANIZED AND WHAT WERE THE QUALIFICATIONS OF THE STAFF MEMBERS?

The staff at a typical center included a director, a head counselor, one or more other counselors, house parents, volunteers, and support personnel. Although the number of paid counselors varied from 2 to 11, the majority of centers had between 4 and 7. Of the 15 centers that used volunteer counselors, the majority had 1 to 6. One of these centers was unusual in that all its counseling, both individual and family, was performed by at least 35 volunteers working in teams of one peer counselor and one adult counselor for each youth.

At the 17 centers we visited, 104 of the 105 paid counselors had at least a high school diploma or its equivalent. The exception was a high school student serving as a paid peer counselor. Beyond this, 78 percent of the paid counseling staff had at least a bachelor's degree and 26 percent had completed graduate degrees.

Of the 52 volunteer counselors who were identified as those who interacted the most frequently with the youths, 52 percent had at least a bachelor's degree. One was a high school student. All the other volunteers had at least a high school diploma.

Counselors were paid annual salaries between $7,400 and $15,300. At the majority of the centers, counselors earned between $7,400 (less than U.S. Office of Personnel Management GS-1 starting salary) and $12,500 (comparable to a GS-4 salary). At 3 centers, counselors earned between $13,500 (GS-5) and $15,300 (mid-GS-6). The majority of the counselors had had at least 3 years of relevant experience.

We keyed our review of staffing patterns at the centers to three times of the day--daytime, evening, and late at night. Center-run shelters had at least 2 or 3 staff members on duty during the day; the majority had 6 to 9 on duty during weekdays. During the evening, all but one of the center-run shelters had at least 2 staff members on duty. Half of the center-run shelters had at least 2 staff members on duty late at night; half had only one.

During the week, the staffing patterns for host home centers were similar to those at center-run shelters, but they differed during weekends and late at night, having fewer staff members on duty at those times. Two host home centers each had one staff member on duty on weekends and late at night, but one center had staff only on call during late night hours and on weekends. It should be noted, of course, that even when staff were not on duty at host home centers, the host home parents were responsible for supervising the youths in their care.

All host home parents whom we interviewed reported that their main responsibilities were to provide the youths with a good home, a place to sleep, food, and clean clothes. Host home parents were required to be licensed or go through a screening process. Four centers paid host home parents a per diem of $7 to $13. Host home parents at 2 other centers were not compensated, but at one of these centers youths were given money daily, directly from the program, to buy their meals.

In addition to relying on salaried staff and host home parents, all the centers relied on volunteer help. The majority of the centers had 1 to 4 volunteers each week; most of the others had from 5 to 12. As we noted earlier, though, one center relied on as many as 35 volunteer counselors to perform individual and family counseling. At most of the centers, volunteers did some counseling--answering the hotline, intervening in crisis situations, and co-counseling under supervision. Other duties that directors and volunteers mentioned frequently included recreational activities, tutoring, and the noncounseling functions of maintaining the house, cooking, and providing transportation.

SUMMARY

The majority of the centers we visited seemed to be well-kept, clean, and adequately furnished. All the center-run shelters but one met the required capacity of 20 youths. Except for 2 rural centers, all could be reached by local public transportation.

Except for one host home program, all the centers had written rules of behavior, including prohibitions against sexual contact, violence, drugs, alcohol, possession of weapons, and stealing. Youths were required at all centers to obtain permission from the staff or to be accompanied by an adult in order to leave for a few hours. At the majority, they were also required to abide by a daily schedule for waking, eating, attending counseling sessions, returning after being away, and going to bed. At the majority of the centers, youths had 3 to 4 hours of unstructured supervised time each day.

The majority of the centers had 4 to 7 paid and 1 to 6 volunteer counselors. Salaries ranged from $7,400 to $15,300. All except peer counselors had at least a high school diploma or its equivalent. Seventy-eight percent of paid counselors had at least a bachelor's degree; 26 percent had completed graduate degrees. Among volunteer counselors, 52 percent had at least a bachelor's degree.

CHAPTER 5

HOW YOUTHS, PARENTS, STAFF, AND COMMUNITY SERVICE PEOPLE PERCEIVED THE CENTERS' SERVICES AND OPERATIONS

In this chapter, we describe how 353 persons who participated in the Runaway and Homeless Youth Program saw the strengths and weaknesses of its operations and services and the improvements that were needed. The people we interviewed included youths who had resided before or who were then residing at the centers, parents of former residents, administrative and counseling staff, and law enforcement, social service, welfare, and school personnel who had working relationships with the centers.

WHAT WERE THE CENTERS' STRENGTHS?

The perceptions of the respondents in our sample naturally reflected the nature of their involvement with the centers. When asked, they mentioned several strengths of the centers frequently. These included the very existence of a shelter program, which the youths and community service staff such as professional service providers, police, and school personnel identified as the strongest point. Youths, staff, and community service personnel saw the counseling and crisis intervention services as a strength. Youths, parents, and staff thought that the family involvement was important, and the positive characteristics of the center staff, including their qualifications and dedication, were identified by youths and staff alike. Two other strengths that were noted were that the centers were accessible (mentioned by community service personnel) and that they allowed an emotional cooling-off period (mentioned by the youths).

We examined the perceptions of staff competence in more detail, finding that almost all the youths (96 percent) and almost all the parents of former residents (96 percent) whom we interviewed thought that the staff were doing a good job. Parents noted, in particular, the positive efforts of the staff in helping their children and the ability of the staff to communicate well with both youths and adults. The youths felt that their counselors were good listeners who helped them talk about their problems. Similarly, 88 percent of the people whom we interviewed who had referred youths to the centers (that is, professional service providers, school personnel, and police) described the centers' staff members as competent. The remaining 12 percent reported that they did not know the staff well enough to judge.

Almost all the center directors and counselors (94 percent) believed that the centers were attracting "the right kind" of staff. These respondents, along with host home parents and members of the boards of directors whom we interviewed, most frequently mentioned the staff members' interest in the youths as their greatest asset. In particular, they cited their dedication, commitment, and caring attitude. Their skills in crisis intervention and counseling were their second most frequently mentioned assets.

In order to provide more details on the views of people who received services, we asked the youths and the parents what they thought they would have done had the centers not existed. The youths most frequently said that they would have remained on the streets or possibly stayed with friends or relatives. The parents believed that their children would most likely have remained on the streets. The two other alternatives the youths and the parents mentioned frequently were that the youths would have become involved in the State social service or juvenile justice systems or faced more drastic possibilities, such as suicide, drugs, and victimization on the streets. In fact, only 7 percent of the youths and 2 percent of the parents we interviewed believed that their family problems would have been resolved without the help of the centers.

WHAT WERE THE CENTERS' WEAKNESSES?

Weaknesses of the centers were also identified by some of our respondents. Inadequate funding was mentioned frequently by the professional service providers, school personnel, and center staff. The youths most frequently named the centers' rules and restrictions as a weakness. Other weaknesses that were mentioned included the relatively small capacity of the shelters and too few staff. In identifying weaknesses among the staff themselves, the center directors and the counselors named most frequently the limited professional experience and training of some staff members.

WHAT IMPROVEMENTS WERE NEEDED?

We asked all 353 respondents to suggest ways in which the centers in their areas could be improved. Although 35 percent had no suggestions, 65 percent recommended, among others things, expanding the outreach and prevention services, doing more networking with other agencies, making physical improvements to the shelters, and providing more activities and training for youths during their stay.

SUMMARY

Youths, parents of former residents, staff, and community service people such as professional service providers, police, and school personnel whom we interviewed were generally positive about the runaway and homeless youth centers in their area. Youths and community service personnel believed that the greatest strength of the centers was the fact of the shelter program's existence. Other strengths mentioned by those we interviewed were the counseling and crisis intervention services, family involvement, and dedicated and well-qualified staff.

The youths believed that they would have remained on the streets, or possibly stayed with friends or relatives, if the centers had not existed. Only 7 percent of the youths and 2 percent of the parents we interviewed believed that their family problems would have been resolved without the help of the centers.

The centers' weaknesses, as mentioned frequently by professional service providers, school personnel, and center staff, included inadequate funding, limited shelter capacities, too few staff, and the limited professional experience and training of some staff members.

Suggestions for improvement included the expansion of outreach and prevention services, more networking with other agencies, physical changes to the shelters, and more activities and training for youths during their stay there.

CHAPTER 6

CONCLUDING OBSERVATIONS

From our review of 17 centers funded by the National Runaway and Homeless Youth Program, we have generally favorable findings in the areas of inquiry posed by the Subcommittee on Human Resources of the House Committee on Education and Labor. Our summary of findings in the four areas is as follows.

WHO WERE THE PARTICIPANTS?

In our view, the population served by the 17 centers we reviewed matched that targeted by the statute. The centers served runaways and homeless youths. Among those they served were youths who had been neglected and physically and sexually abused. Psychotic, violent, and drug-addicted youths were referred elsewhere.

WHAT SERVICES WERE OFFERED?

The centers' services appeared also to be those anticipated by the statute--shelter, counseling, and family involvement, which was particularly well emphasized. However, aftercare was being performed in a limited way.

WHAT WAS THE ENVIRONMENT OF THE CENTERS?

We believe that the staff, facilities, and procedures of the centers were consistent with the statute's goals. As mandated, the centers that we visited operated outside the law enforcement and juvenile justice systems. Furthermore, the centers' staff members seemed to have developed the relationship with community service personnel (in law enforcement, social services, and juvenile justice) anticipated by the Congress.

WHAT DID THE PARTICIPANTS THINK ABOUT THE CENTERS?

The 353 people whom we interviewed generally expressed a belief in the importance of the Runaway and Homeless Youth Program and in the usefulness of its services.

MATTERS FOR CONSIDERATION BY THE SECRETARY OF HEALTH AND HUMAN SERVICES

We believe that several areas may warrant consideration. First, we found that the direct provision of aftercare services was still more the exception than the rule, despite the congressional mandate. It is not clear, however, whether the limited provision of aftercare resulted from the need for more funds and staff, for example, or the lack of interest in continued participation by parents and youths. The legislation requires applicants for funds to develop a plan for aftercare counseling but does not include any other requirements. In light of our findings, we believe that centers need more guidance regarding the relative importance they should place on services for residents and on aftercare services for former residents.

Second, we found that staff members engaged in a variety of outreach activities at the centers we visited. The majority of these activities included advertising and making speeches and school contacts. Although the staff at some of the centers did conduct outreach activities on the streets where the runaways and homeless youths congregated, this form of outreach was used only minimally. The legislation does not mandate specific types of outreach activities, but it does state the Congress' concern about young people who are without resources and live on the street. Perhaps centers should be concentrating more of their outreach efforts on directly reaching these youths. We believe that centers need more guidance regarding the relative emphasis they should place on the different types of outreach activities.

Third, we found that youths engaged in a variety of activities while they resided at the centers. Most days, youths participated in counseling sessions, ate meals, worked on finding places to go when they left the centers, performed chores, and in some instances went to school. However, unstructured time, especially on weekends, seemed to be a feature of life in the shelters. The youths seemed not to be spending much of their free time developing their coping and living skills and engaging in structured recreational activities. We believe that centers need more guidance regarding how much of the youths' time is to be spent on unstructured activities.

The Department of Health and Human Services read and commented on a draft of this report (the letter is reprinted as appendix IV). HHS concurs with our assessment of the National Runaway and Homeless Youth Program and with the matters for consideration we have presented above.

MAJORITY MEMBERS:
[illegible]

MINORITY MEMBERS:
[illegible]

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND LABOR
SUBCOMMITTEE ON HUMAN RESOURCES
ROOM 2178, RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515

October 13, 1981

Honorable Charles A. Bowsher
Comptroller General of the
 United States
General Accounting Office
441 G Street, N.W.
Washington, DC 20548

Dear Mr. Bowsher:

The Subcommittee on Human Resources maintains a continuing interest in providing categorical funding for runaway and homeless youth through Title III of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. The spring reconciliation process required major efforts to maintain Runaway and Homeless Youth as a categorical program. Now that Title III has been reauthorized through 1984, it would be very helpful for us to have information in the spring of 1982 on how the program is operating at the local level.

Discussion between my Staff Director, Gordon Raley, and staff from your Institute of Program Evaluation indicated that the Institute would be able to provide us with service delivery information in time for our hearings. It would be helpful to the Subcommittee if the Institute could answer such questions as, what services are delivered? By whom? what are the perceptions of service providers, recipients, and other interested parties regarding program operations?

Our discussion with Institute staff indicated that the fast response methodology called PODSE which is currently under development would provide the information we need concerning the Runaway and Homeless Youth Program. It would be most helpful to us if Institute staff would brief us on what they have learned no later than April 15, 1982 with a report to follow thereafter.

Sincerely,

Ike Andrews

Ike Andrews
Chairman

IA:slm

LIST OF SAMPLE SITES

This is a list of the 17 runaway and homeless youth centers that we visited in 7 of the 10 regions of the U.S. Department of Health and Human Services.

Janus House
Bridgeport, Conn.

Newton-Wellesley-Weston-Needham
Multi-Service Center, Inc.
Newton Centre, Mass.

Stepping Stone
Concord, N. H.

Child & Family Services
of New Hampshire
Manchester, N. H.

Voyage House, Inc.
Philadelphia, Pa.

Time Out
Huntington, W. Va.

Sojourn
Mobile, Ala.

Miami Bridge
Miami, Fla.

Crosswinds
Merritt Island, Fla.

Crossroads
North Charleston, S. C.

Macoupin County Youth
Service Bureau
Carlinville, Ill.

Connecting Point
Toledo, Ohio

Family Connection
Houston, Texas

Youth Shelter of
Galveston
Galveston, Texas

Youth Emergency
Services, Inc.
University City, Mo.

Huckleberry House
San Francisco, Calif.

Tahoe Runaway and
Youth Services
Project
South Lake Tahoe, Calif.

PROCEDURES WE USED FOR OBTAINING

REPLICABLE FINDINGS

One of the main goals of our review was to employ methods of data collection and analysis that would allow other evaluators to study and replicate our findings at the same sites. Replicability helps establish the credibility of study findings and conclusions. In this appendix, we discuss the ways we selected respondents and gathered, analyzed, and presented data to help us achieve this goal.

RESPONDENT SELECTION

In order to answer the program operations and service delivery questions posed by the Chairman of the Subcommittee (Who participates in the National Runaway and Homeless Youth Program? What services does it offer? What is the environment of the centers? What do the youths and their families, the staff at the centers, and the community service personnel think about the centers' services and operations?), we had to collect information from a wide variety of people associated with each of the centers, recognizing that no one person would be knowledgeable about all aspects. Furthermore, to meet the goal of replicability of findings, we had to identify relatively homogeneous categories of people so that we would obtain comparable types of information from each of the centers in our sample.

In identifying the respondent groups who would have the information we needed, we went through a number of steps. We talked to congressional staff and Program officials in HHS. We made exploratory visits to several centers for runaway and homeless youths, and we reviewed the literature, particularly evaluations of the Program. In order to obtain multiple perspectives on program operations and service delivery, we identified the various types of people who were included among the administrative and counseling staff of the centers, the clients who were served, and the service people in the community who worked with the centers.

For our final respondent groups, we divided the administrative and counseling staff into six categories--members of the board of directors, center directors, head counselors, counselors, host home parents, and volunteers. We divided clients into two categories--youths who had resided or were then residing at the centers and parents of former residents. And we divided community and service personnel into four categories--law enforcers, school guidance counselors and other staff, and social service, welfare, and other community workers who referred youths to the centers and those who provided referral services to them.

In addition to identifying the respondent groups, we had to specify the number of respondents we wanted to include in each group. Our general rule was to specify at least two respondents per group. We made exceptions where the center director and the head counselor were the only members of their groups at a center. For youths, parents, and counselors, we specified four members per group. Our use of guidelines for the type and number of respondents helped assure us that our evaluators would be able to collect comparable information at each center.

DATA COLLECTION INSTRUMENTS

Having defined the appropriate respondent groups and the numbers of respondents within them, we developed twelve structured interview guides, one for each group. Wanting to make sure that we collected comparable data from all the centers, we developed the interview guides so that they would contain the specific questions and follow-up probes that the data collectors were to ask, and we conducted centralized staff training to teach the data collectors standard procedures to follow while collecting, recording, and analyzing the data.

We often included the same question or similar questions in several of these data collection instruments in order to obtain the perspectives of different respondent groups on a particular topic. Doing this also helped us guard against inaccurate and incomplete information by allowing us to cross-check the information we received from different respondents. The accompanying table illustrates our use of this procedure.

DATA ANALYSIS AND REPORTING

In our data analysis, we identified the respondent groups who gave us the information we collected with our instruments. Identifying respondents is important for replicability. It is also necessary for interpreting the data.

Depending on the nature of the question, we summarized the frequencies of particular responses to what we asked at each center or from each respondent group. To analyze the responses at each center, we determined the prevailing viewpoints there and then summarized the information in terms of the proportion of the centers that evidenced them and the categories of respondents that had provided that kind of information. For example, we found (as we have noted in the report) that

--directors at all the centers reported that they did not admit various types of young people;

--at the majority of the centers, staff estimates of the incidence of physical abuse were in the range of 20 to 40 percent;

--at 11 of the 17 centers we visited, directors and head counselors stated that placement options were insufficient within their geographic areas.

Five Examples of Questions Directed to Several Respondent Groups

	Respondent groups*							
Interview questions	D	H	C	Y	P	L	O	S
What problems do you have in following up and providing aftercare to shelter clients?	x	x	x					
What is the most immediate need of a typical runaway? How is this need met? What kinds of services do you think these adolescents and their families need? Does the center provide them?	x	x				x	x	x
Suppose there were no places like this to come to, what would each of you have done? What do you think would happen if there were no programs like this for your child to go to?				x	x			
In a typical week, how many times will a young person be in individual counseling, group counseling, and family counseling? How often do you participate in counseling sessions that are just for you? How often do you have group counseling?		x	x	x				
What procedures do sheltered clients follow when they want to leave the shelter for a few hours? What do you do if you want to leave the house for a while?		x	x	x				

*D = Center director
H = Head counselor
C = Counselor
Y = Youths
P = Parents
L = Law enforcers
O = School personnel
S = Sources of referral

In analyzing our data by respondent groups, we identified common responses and then summarized the proportion of respondents who shared them. For example,

--almost all the youths we interviewed reported receiving individual counseling during the shelter period;

--among the 51 parents whom we interviewed, 92 percent had met with center staff and 55 percent had met with center staff at least four times;

--almost all the center directors and counselors (94 percent) believed that the centers were attracting "the right kind" of staff.

SUMMARY

In sum, we met our goal of producing comparable and replicable information by employing a number of methods. First, we carefully identified appropriate respondent groups. Second, we developed data collection instruments specifically tailored to them and to our data needs. Third, we trained staff in standard procedures to use for collecting, recording, and analyzing the data. Last, we analyzed and presented our information in terms of the proportion of centers or respondents evidencing particular characteristics and identified our information sources.

DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of Inspector General

Washington, D.C. 20201

JUL 29 1983

Mr. Richard L. Fogel
Director, Human Resources
 Division
United States General
 Accounting Office
Washington, D.C. 20548

Dear Mr. Fogel:

The Secretary asked that I respond to your request for our comments on your draft of a proposed report "Federally Supported Centers Provide Needed Services for Runaways and Homeless Youths." The enclosed comments represent the tentative position of the Department and are subject to reevaluation when the final version of this report is received.

We appreciate the opportunity to comment on this draft report before its publication.

Sincerely yours,

Bryan Mitchell

for Richard P. Kusserow
Inspector General

Enclosure

COMMENTS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES ON THE GENERAL ACCOUNTING OFFICE'S DRAFT REPORT, "FEDERALLY SUPPORTED CENTERS PROVIDE NEEDED SERVICES FOR RUNAWAYS AND HOMELESS YOUTHS" (GAO/IPE-83-7), DATED JUNE 15, 1983)

General Comments

The Department plans to address the three areas cited by GAO which warrant additional attention, namely: aftercare, outreach, and the management of youths' recreational-leisure time while residing at the centers. This effort will include the following:

-- Greater emphasis on fostering public awareness and forging collaboration between grantees and schools, PTAs, and other non-profit, private-sector community organizations in the areas of aftercare and outreach.

-- The use of discretionary resources for the identification and replication of exemplary models of aftercare, outreach, and the management of recreational-leisure time.

Matters for Consideration by the Secretary of Health and Human Services

o GAO believes that centers need more guidance regarding the relative importance they should place on services for residents and on aftercare services for former residents.

Department Comment

We concur in this assessment. While the provision of aftercare services is a statutory responsibility for runaway and homeless youth grantees, not all Title III grantees have been able to plan and to operate aftercare programs which meet the performance standards for Federally funded runaway and homeless youth centers.

As part of its funding of Runaway and Homeless Youth programs in FY 1983, the Department has competitively awarded, on a one-time only basis, 109 Strengthening Center grants. These grants are designed to strengthen the operations and programs of runaway and homeless youth centers in one of three principal areas: management operations, aftercare, and outreach services. Additionally, both existing and new grantees will be encouraged to emphasize aftercare service as a required and critical component of their programs.

- o GAO believes that centers need more guidance regarding the relative emphasis they should place on use of the different types of outreach activities.

Department Comment

We agree with the need for centers to concentrate more effort on outreach activities directed at the runaway and homeless youth populations served. We will review the program's outreach performance standards and encourage grantees to develop more clearly defined outreach activities directed at runaway and homeless youths. The Congress in a continuing resolution passed in December, 1982 made specific reference to outreach services--and in the funding guidance for FY 1983 the program included outreach as an essential activity for Federally funded runaway and homeless youth centers.

- o GAO believes that centers need more guidance regarding how much of youths' time is to be spent on unstructured activities.

Department Comment

We concur with the need for the centers to encourage more effective coping and living skills for youths during time periods which are unstructured. In this connection the program is considering the development of an additional performance standard under a general heading of recreational-leisure time. In 1983, the program will more closely examine center recreational-leisure time programs and exemplary programs will be identified for replication by other grantees.

(973167)

Bertroche Law Offices

Bertroche, Abenroth & Russell
Attorneys at Law

JOSEPH G. BERTROCHE, SR.
MARK U. ABENDROTH
DAVID B. RUSSELL

J. MICHAEL BERTROCHE
DANIEL W. HANSEN

BERTROCHE CENTER
4020-4044 S.E. 14TH ST.
PHONE 515-285-0461

MAILING ADDRESS:
P.O. BOX 3746
DES MOINES, IOWA 50315

February 20, 1984

TO: All Members of the NAC, Mr. Al Regnery, WCG
RE: Beverly Hills Agenda

The next NAC meeting is scheduled for March 14th and 15th, 1984, at the Beverly Pavilion, Beverly Hills, California, and we are requesting your assistance in preparing the agenda. The meeting will commence at 9:00 a.m. on March 14th and will conclude no later than 12:00 noon on March 15th.

The WCG has suggested the following as possible agenda items for the NAC meeting as received from the OJJDP. Please review them and advise me of which you will be involved with and how much time you would like to have allocated to that subject and who will make the presentation. Of course, we are requesting additional agenda items as requested by you.

(1) Reauthorization
(2) The NAC Interim Report - Serious Juvenile Crime: A Redirected Federal Effort.
(3) The NAC Annual Report: This report is due March 31, 1984. WCG would like to distribute a working draft for discussion so that the report will reflect the NAC's 1983 activities.
(4) A brief presentation by the California SAG representative.
(5) A special presentation on "The Relationship Between the De-institutionalization of Status Offenders and the Exploitation of Children and Youth." (Al Regnery will ask Richard Vigilante to suggest a guest speaker. The recommended time for the presentation is two hours.)
(6) A ten minute report on the activities of the Coordinating Council on Juvenile Justice and Delinquency Prevention. (Mr. Bertroche)

Please be kind enough to submit your agenda requests to this office as soon as possible because it is our desire to finalize the agenda and have the final agenda back in the mail to you no later than March 5th.

There exists the possibility that I may be able to obtain tickets to the Johnny Carson show in Burbank, California the late afternoon of March 14th, so if you would like to have tickets and I am able to get them, please let me know the number that you would like to have. Thank you for your courtesy and best personal regards.

Very truly yours,
BERTROCHE LAW OFFICES

Joe Bertroche

CENTER FOR ACTION RESEARCH, Incorporated
1125 Spruce, Boulder, Colorado 80302

303-443-7977

April 3, 1984

Mr. Gordon A. Raley, Staff Director
Subcommittee on Human Resources
House Education and Labor Committee
2178 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Raley:

In "Serious Juvenile Crime: A Redirected Federal Effort", the National Advisory Committee for Juvenile Justice and Delinquency Prevention has made clear its view that, in framing and administering the Juvenile Justice and Delinquency Prevention Act, both the Congress and the Office of Juvenile Justice and Delinquency Prevention have persisted in obvious error despite better advice to the contrary. I disagree with the NAC's argument and object to its highly selective use of my and others' work to make that argument. As the NAC's pamphlet now stands, a reader might gain the impression that I support its claims; I do not. To the contrary, I believe that the NAC's proposition is ill-founded and ill-advised.

The NAC's hangs its case on a widely-accepted research finding: a small proportion of youth (5-10%) commit a large proportion of juvenile crime (50-60%). From this finding alone, the NAC argues, it is obvious ("inevitable") that the JJDP Act should have concentrated on that small population of offenders, that both Congress and the OJJDP have "ignored" the problem, and that they have "the wrong priorities." To judge by the strength of the language, the JJDP Act has been a gross misapplication of federal resources from the outset.

One expects such strong claims to be backed by equally strong arguments. That is not the situation. Much of what is presented as a debate about means to an end is in fact simply a rejection of Congress's intent. The author of the pamphlet would rather have had a "Serious and Violent Offender Control Act" than the Juvenile Justice and Delinquency Prevention Act; the NAC does not want to carry out it statutory charge. The remainder of the pamphlet is a highly selective presentation of research evidence overlaid with a questionable logic.

By the end of its second full page of text, the NAC's pamphlet has rejected the goal of deinstitutionalizing status offenders. Deinstitutionalization is, the NAC suggests, a "missionary preoccupation" which sacrifices the poor and minorities to the interests of middle-class White youngsters. The pamphlet's concern for equity and justice would be more convincing if it did not go out of its way to ignore the injustice of locking up persons--of whatever race or origin, rich or poor--who have committed no crime.

In page five of the pamphlet, we are told that "The Juvenile Justice Act, as now worded, diverts most federal funding to objectives that have very little to do with the criminal aspects of juvenile delinquency." This comment is directed to the "advanced techniques" provisions of the JJDP Act. In part, the comment is simply a continuation of the NAC's rejection of the goals of deinstitutionalization and separation, as these goals are addressed in the advanced techniques. Much of page six is a litany of complaints that OJJDP had taken Congress's deinstitutionalization and separation requirements seriously and administered the Act accordingly.

The pamphlet's second main attack on the JJDP Act begins at the bottom of page six. It opens by saying that many activities which Congress assigned to OJJDP belong better in the Departments of Labor, Health and Human Services, and Education. That claim depends, of course, on the bearing of those activities on juvenile justice and delinquency prevention. Congress apparently thought those activities relevant to OJJDP's mission. The NAC disagrees:

> "The mandates that shape OJJPD's programs were based on faulty notions about how best to prevent and control delinquency, and how to deal with juvenile offenders. The Act was passed at a time when its sponsors were more certain about the rightness of a particular philosophy than experience has warranted." (emphasis in the original).

The pamphlet than proceeds with an argument which is titled, most appropriately, "Uncertain Knowledge". "Uncertain Knowledge" is a game played with a large body of research which contains many studies of highly variable quality and sometimes-inconsistent results. The game can be played in three ways. One can select and build up findings unfavorable to a competing argument. Or, one can select and build up findings favorable to one's own argument. Or, the boldest players do both, in the attempt to compare the strongest possible version of their own argument with the weakest possible version of a competing argument.

The author of the NAC's pamphlet is a bold player. He goes so far as to assert, in the last page, that "the observations contained in this report are neither new nor the exclusive province of this committee. They are widely shared by juvenile court judges, other professionals who work with delinquents, and scholars." One is left to assume that the Congress and OJJDP began and persisted in wrong-headedness in the face of broad agreement among those who know better. That is not correct.

Those who work in the field of delinquency support a variety of programs and opinions with varying degrees of evidentiary support. The method of the NAC pamphlet is to draw selectively from these programs and opinions to create the straw man which is most easily attacked, and at the same time to leave aside the weaknesses in its own argument. By this method, for example, persons who are interested in delinquency prevention are painted as compassionate fools interested only in protecting the hard-core delinquent from a wise and effective juvenile court. The proposition is debatable.

If it is to be fully satisfied concerning the preponderance of evidence and argument concerning delinquency, its prevention, and its control, the Congress will have to solicit and weigh testimony from a range of persons familiar with large parts of the literature. My limited purpose here is to point out some of the ways in which the NAC's pamphlet has been highly selective about work in which I have participated and with which I am familiar.

I believe that many would agree generally with the statement of Solomon Kobrin and Malcolm Klein, quoted in the pamphlet, that "The federal rationale placed considerable faith in a therapeutic model of delinquency prevention and treatment, a model which lost much of its empirical basis in the 1960's and early 1970's". Many also would agree that, for a time, too much was claimed for labeling theory and for labeling by the juvenile court as a strong influence in subsequent delinquency. However, persons attempting to provide a full account of the period would not then leap so quickly to other matters as the NAC's pamphlet does. They might make three other points.

First, few advocates of alternatives to the juvenile justice system have claimed that the few serious, chronic, and violent offenders should be "protected" from the juvenile court. More often, they have pointed out that, if we would use alternatives for the many minor offenders and non-offenders being dealt with in the juvenile justice system, the juvenile court would have more time and resources to deal with the harder cases.

Second, the bulk of the evidence which calls into question the therapeutic model of prevention was collected in the juvenile justice system, in juvenile courts, in the programs to which juvenile courts referred juveniles, and in the institutions to which juvenile courts committed them. If the Congress did make an error in 1974, it was not the error of choosing a flawed therapeutic model of delinqency prevention over superior programs of the juvenile court. It was the error of assuming, with others, that therapeutic programs which had failed when operated by the court would succeed if only they were placed nominally outside the juvenile justice system.

One may note that the NAC's pamphlet never mentions the two largest collections of program evaluations relevant to this issue: Lipton, Martinson, and Wilks's The Effectiveness of Correctional Treatment (1975), and Dennis Romig's Justice for Our Children (1978). The NAC's selective history notwithstanding, the search for alternatives to the juvenile justice system was not whimsical, not undertaken merely on the basis of a "philosophy," and not hasty, as those two collections of evaluations conducted over forty years will show. The NAC is very quick to judge OJJDP's record of a mere ten years, but very slow even to consider the record built up over the six or more decades in which the juvenile court was our ideal.

Third, a more balanced account than the NAC's would not have buried in footnote 15 the fact that the therapeutic model of prevention is neither the only model of prevention nor the most direct application of contemporary delinquency research to prevention. The pamphlet cannot avoid some other positions taken in the field, so mentions them in footnotes and then makes highly selective use of them. Joseph G. Weis is allowed to say that "no one strategy by itself can be expected to alter a child's environment sufficiently to preclude delinquent behavior by those children already alienated and who have little sense of self-worth." He is then promptly gagged, because he would go on to say, and has said, that there are coherent sets of strategies to prevent children from becoming alienated and other sets of preventive strategies to address those who already have.

In Footnote 17, Delbert S. Elliott and Harwin Voss are not allowed to speak at all. They are used to buttress the pamphlet's claim that "Students who drop out of school do not fall into delinquency more often than students who are induced to remain in school." The implication is that the Congress's interest in the problem of school dropout was ill-founded. Elliott and Voss are not permitted to state their principal conclusion--that dropping out of school and committing delinquent acts tend to be alternate responses by youth to their experience in schools. That conclusion has implications that the author of the NAC's pamphlet would prefer not to deal with. Elliott supports well-founded prevention programs.

In Footnote 12, my colleagues and I are used in exactly the same fashion: allowed to say just enough to compromise the NAC's straw man of therapeutic prevention, but not allowed to state our own conclusions, which are quite different from the NAC's. Among our unquoted conclusions is that there are, in education, specific options which can be used to alter students' experience of schools and thus to reduce both dropout and delinquency.

We and other informed advocates of well-founded prevention programs are not blind to the mixed record of the wide variety of programs which have been labelled "prevention." We are acutely aware that the field of prevention has been dominated precisely by the therapeutic model of prevention and by simplistic applications of delinquency theory and research. We have said so in considerable detail, in balanced reviews with which the NAC's selective polemic might informatively be compared. We conclude not that prevention is an idea which was tried and found wanting, but that prevention is an idea which was wanted and found largely untried. Progress in any complex field is not made quickly; biased and undiscriminating reviews such as the NAC's provide no progress at all.

In sum, several of the persons cited by the NAC as authorities to buttress its own case in fact disagree with the NAC's conclusion. It is only by selective use of their writing that the NAC can make it appear otherwise.

The NAC's highly selective use of others' work culminates in page eight with the claim that:

> "The notion of preventing delinquency by means of a single, specific program is likewise unsound. We have learned that delinquency fails to occur--is prevented--by caring parents with strong values and tightly knit communities. Government programs, particularly at the federal level, are conspicuously unable to create these conditions."

This ideologically-skewed description of the situation presents two images of delinquency prevention. It is either a wishful reliance on a "single, specific program" that could not have appreciable effect, or a foolish attempt at pervasive and large scale social engineering. The NAC's account leaves out one prominent version of delinquency prevention: the version which is actually being promoted by the authors who were so very selectively quoted.

On the basis of such a treatment, the NAC would have us conclude that "In addition to the failure of OJJDP programs to justify the philosophy behind the 1974 Act, the most cherished beliefs of supporters of the Act have consistently run afoul of the facts." The first stage of the game of Uncertain Knowledge has been played most boldly.

The second stage--selecting and building up information favorable to the NAC's own case--begins. This maneuver is equally bold. Here is its essence:

> Any federal effort in the area of juvenile delinquency should focus primarily on the serious, violent, or chronic offender. The first and most important reason for this shift is that serious, violent, and chronic delinquency is by far the most important aspect of the whole juvenile problem. The federal initiative against delinquency is lodged appropriately in a law-enforcement criminal justice agency and should be shaped by law-enforcement and criminal justice considerations. (page 9)

One may note the two remarkable assumptions which the apparently-straightforward statement contains. First, the "whole juvenile problem" can and should be boiled down to one of its manifestations: serious, violent, and chronic delinquency. Second, "law-enforcement and criminal justice considerations" provide the most promising strategy for dealing with that manifestation. One would expect such strong claims to be well-supported in the argument that follows them. No such support is forthcoming.

Almost as an aside in closing the built-up case against delinquency prevention, the pamphlet's author makes claims for justice system procedures based on a total of five sources, which are listed in footnotes 16 and 18. With all due respect to those sources, they cannot even remotely be considered as an adequate basis for OJJDP's concentrating primarily on serious, violent, and chronic offenders. My small knowledge of the work of some of the cited authors leads me to believe that the NAC would prefer them to remain at the distance of footnotes! Congress therefore might find them to be interesting witnesses regarding the appropriate balance for OJJDP's programs.

The remainder of the pamphlet provides no support for the NAC's central claim; it merely escalates the claims: concentrating on the serious and chronic offender will be "cost-effective", will provide a "balance between helping youth and protecting society", and will "reduce numerically the crimes they commit." None of these claims is any better supported than the first.

The NAC pamphlet is careful to neglect some difficulties with its position. Two such could be mentioned.

First, it has been estimated that fewer than 20% (the actual estimate is 3-15%) of all delinquent acts ever result in a police contact, much less an arrest (Farrington, 1979, in Joseph G. Weis and Sederstrom's "The Prevention of Serious Delinquency: What to Do?). The low ratio of contact is not surprising, if only because fewer than 50% of the victims even of serious crimes ever report them. The NAC will find it difficult to show how that ratio could be increased so dramatically that any option in the juvenile justice system could make an appreciable difference in communities' rates of juvenile crime. We are asked to believe that substantial results can be expected from dealing with a minority (chronic offenders) of a minority (those who are arrested). A concern for victims does not lead automatially or even easily to a "concentration" on the most predatory youth. The NAC's attempt to avoid the issue by wrapping itself in the moral cloak of concern for victims is shameful; it offers vengeance to some victims, but ignores the vast majority of victims in the same way that it ignores the majority even of serious, violent, and chronic delinquents.

Second, after decades of effort, there is no reliable method for predicting which youth will be among the serious, violent, and chronic offenders. This fact was recognized by OJJDP in the past and, as evidenced by the recent spate of projects to search for methods of early identification, is recognized by the present leadership in OJJDP. Those wishful impulses notwithstanding, we must face facts. We know "chronic" offenders only after we have seen them in court a number of times. The crimes known to the court are but a small part of those already committed by the offenders. Delbert Elliott should be allowed to speak, from his five-year national survey of delinquency and drug abuse, on this and related questions.

If we are to take the serious, violent, and chronic offender seriously, we must address the forces which produce that group. We cannot limit ourselves to, or even rely primarily on, measures which can be taken only with a few and only after great harm is already done. The NAC's unsupported implication that some appreciable result can be obtained by "focusing" on the serious offender group is mischievous.

If we stop playing the game of Uncertain Knowledge, stand back, and look at the field, we might agree that there are some youthful offenders whose crimes should lead us to lock them up for long periods of time, not in the expectation that we can rehabilitate them or that we can reduce the crime rate, but simply because we have no choice. Short of that extremity, there is a place for both mild and strong measures backed by the justice system, applied to the minority of offenders who are caught. That said, it remains that wise policy will not limit us to the unsatisfactory and unending tasks of trying to clean up afterward, of trying to restore victims who cannot be restored, of punishing youth whom we would rather have as members of our community, or of confining youth who have become strangers beyond our reach or understanding.

To judge by its report, the National Advisory Committee is a council of anger and despair. It has not sought to increase or improve our options in juvenile justice and delinquency prevention, but to limit them. A group seeking to review the field and recommend the most promising options to OJJDP and the Congress would provide a more balanced account; it would not play the game of Uncertain Knowledge so boldly. The NAC has systematically closed its own eyes, and has tried to close ours, in an attempt to make what should be policy's last resort into its first article. There is no doubt that both the OJJDP and the JJDP Act can be improved. There is no doubt that attention must be paid the serious, chronic, and violent offenders. The hard question is, How? The NAC's simplistic argument provides no sound basis for either undertaking.

Respectfully,

Tom Bird

Tom Bird

Memorandum

SEP 2[illegible] 1983

Subject

Reauthorization of the Juvenile Justice
and Delinquency Prevention Act

Date

Septembe. [illegible], 1983

To

Edward C. Schmults
Deputy Attorney General

From

Alfred S. Regnery
Administrator
Office of Juvenile Justice
and Delinquency Prevention

I wrote you a memo on May 4, 1983, a copy of which I attach for your information, setting forth facts and my recommendation regarding the Department's position on reauthorization of the Juvenile Justice and Delinquency Prevention Act, which expires at the end of 1984. To date, I believe no action on that issue has been taken.

The National Advisory Committee of this office, comprised of fifteen people appointed by President Reagan, plans to meet in San Diego on September 19-20, at which time they will issue a recommendation for authorization similar to the recommendation made in my May 4th memo. A delegation of the National Advisory Committee also plans to meet with Ed Meese, prior to September 19th, to make a recommendation to him and to try to elicit his support therefor.

It is further my understanding that various people at OMB have become interested in the reauthorization question; when I presented the issue to the budget examiners the other day, they mentioned that I should be prepared to discuss it at the budget hearing on October 6th, as they felt that it was time that the Administration took a position.

Accordingly, I would ask you to look at my original memorandum and, if possible, to give me some advice on where you think the Department may go. Additionally, if a firm position could be arrived at soon, it would simplify matters for everyone concerned.

attachment

Memorandum

LIMITED OFFICIAL USE

Subject	Legislative Options and Recommendations on the Juvenile Justice and Delinquency Prevention Act	Date	May 4, 1983
To	Edward C. Schmults Deputy Attorney General	From	Alfred S. Regnery Acting Administrator, OJJDP

I. Expiration of Juvenile Justice Act

The statutory authority for the programs established by the Juvenile Justice and Delinqeuncy Prevention Act will expire on September 30, 1984. The Budget Act requires the Administration to submit reauthorization legislation by May 15, 1983, if it wishes the Congress to reauthorize. It is evident that supporters of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) on the Hill will submit reauthorization legislation shortly. For the Administration to do nothing will probably mean that we will lose by default with the office reauthorized largely as it now exists.

II. Current Status of OJJDP

In fiscal years (FY) 1981, 1982, and 1983, the Administration proposed a zero budget for OJJDP. In each year, Congress nevertheless appropriated $70 million. For FY '83, the Juvenile Justice Act provides for a $42 million formula grant program in which fifty-one of fifty-seven eligible states and territories currently participate. The Act further provides for a categorical, research and demonstration, training and statistical program at a cost of about $25 million.

The FY '84 budget again proposes zero program funds, but requests an administrative phase-out budget of $1.7 million. The Administration's position has consistently been that the Act has largely achieved its primary goals and that funding was not consistent with federalism or Department of Justice functions. Despite the fact that this is essentially correct, Congress will probably appropriate $70 million again.

The Act funds programs in six major areas:

(1) Deinstitutionalization of status offenders;
(2) Separation of juveniles from adult criminals in secure institutions and facilities;
(3) Removal of juveniles from adult jails and lockups;
(4) Serious and violent juvenile offender programs;
(5) Delinquency prevention programs
(6) Improvement of the juvenile justice system.

Of these, only the first three have measurable statutory goals which are imposed on the states. By the end of 1983, the first two goals will have been achieved and the states should be in a position to maintain those goals. The third goal, jail removal, need not, under the Act, be accomplished until 1985. The remaining serious offender, prevention, and system improvement functions have no deadline. Numerous programs under these categories presently are funded or under development.

Under the terms of the Juvenile Justice Act, OJJDP has a Presidentially-appointed Administrator subject to the advice and consent of the Senate. This structure is not consistent with the proposed Justice Assistance Act of 1983 which provides for the program offices (BJP, NIJ, and BJS) to have their directors appointed by the Attorney General and who would report to the Presidentially-appointed Assistant Attorney General, Office of Justice Assistance.

Recently, OJJDP has shifted direction to focus more of its efforts on serious and violent offender activities, state and local training programs, and research programs which are consistent with the Attorney General's Violent Crime Task Force recommendations. In fact, over 40% of all OJJDP funds are currently directed to serious and violent offender programs.

III. Alternative Courses of Action

We believe the Administration has essentially four options:

A. Do nothing. Submission of no reauthorization legislation coupled with a fiscal year 1983 phase-out plan would be consistent with the Administration's past position. However, the submission of no bill assumes that Congress will not provide an appropriation for fiscal year 1984 and that phase-out operations could begin and be completed in fiscal year 1984. This is probably unrealistic.

B. Submit a phase-out proposal bill. Submission of phase-out legislation would be consistent with the Administration's past budgetary views on the Juvenile Justice Act and provide for a responsible phase-out. However, there would be strong opposition to such an approach in Congress.

C. Propose limited research, statistics, training and demonstration functions. Consistent with Victim and Violent Crime Task Force recommendations, an authorization of about $20 million could be proposed to conduct research, statistics, and training activities to develop and test programs to combat serious and violent juvenile crime, and to assist juvenile victims and victims of juvenile crime.

D. Restructure the office. New legislation could be developed to restructure the office to assist state and local governments to deal with serious juvenile crime. Such legislation could design the office to deal directly and practically with the problems of juvenile delinquency and youth crime, particularly the threats they present to the public, the victim, the family, and the schools. Its focus should be relatively narrow and well-defined, and it should be presented not as a promise to cure these problems over the next ten years, but as a plan to assist state and local governments, as well as the private sector, in dealing with a difficult and serious problem on a limited basis.

IV. Recommendation. We believe the most realistic approach would be to propose new legislation restructuring the office as stated in section III.D.

V. Reasons for Recommendation. We believe that because juveniles commit nearly 40% of all felonies, and because the public has such an overwhelming fear of juvenile crime, it is important for the Department to add an initiative concerned with juvenile crime to its overall fight against crime. Such an initiative should develop and conduct effective programs in the areas of prevention, investigation and apprehension, prosecution, judicial processing, disposition and corrections of juveniles, and should independently evaluate these programs so that information on their success or failure may be distributed to the states. Programs should be emphasized that focus on maintaining and strengthening families, dealing with serious, chronic and violent juvenile offenders, providing restitution, dealing with drug, alcohol, and other substance abuse, assisting victims of juvenile crime, and providing programs dealing with child molestation, sexual assault and pornography.

Many states have already adopted procedures and programs which attempt to deal with the serious offender (such as reduced age of criminal culpability, modified waiver to adult criminal court, and fixed or determinate sentences in juvenile court). Reliable, credible research should be conducted with a view to determining what programs and procedures work best with what offenders under what circumstances.

Revenue sharing funds could be provided to state and local governments for use in meeting juvenile delinquency and youth crime problems without cumbersome federal intervention, costly monitoring, and bureaucratically imposed mandates. Since such a program now exists with bureaucratic controls, it might be politically unwise to propose complete termination. Juvenile justice is a state problem; the states should be able to use such money without strict federal controls.

This option would be consistent with the Violent Crime Task Force and Victims Task Force recommendations including the view that "the Federal Government can play an important and cost-beneficial role as a program catalyst to State and local jurisdictions..." (Recom. 61). Submission of such a proposal would take the initiative from the congressional committees which will propose reauthorization legislation that bears no resemblance to Administration policy and priorities. In addition, this option is consistent with the OJJDP National Advisory Committee's public recommendations. For the Administration to opt for yet a third approach, would sufficiently fracture our position as to give proponents of reauthorization of the existing structure a greater advantage.

I look forward to discussing this matter with you more fully, but suggest that we do so as quickly as possible.

U.S. Department of Justice

Office of Juvenile Justice and
Delinquency Prevention

Washington, D.C. 20531

APR 22 1983

20 APR 1983

The Honorable Ike F. Andrews
Chairman
Subcommittee on Human Resources
Committee on Education and Labor
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

It is my pleasure to transmit to you a copy of the "Seventh Annual Report of the National Advisory Committee for Juvenile Justice and Delinquency Prevention". This is submitted in accordance with Section 207(e) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

This Report describes the activities and findings of the Advisory Committee for Fiscal Year 1982. The Committee intends to issue a special report concerning its legislative recommendations for the reauthorization of the JJDP Act and future priorities. As soon as that report is available, you will be provided a copy.

I trust you will find the Committee's Seventh Annual Report both useful and informative.

Sincerely,

Alfred S Regnery

Alfred S. Regnery
Acting Administrator

Enclosure

SEVENTH ANNUAL REPORT
TO THE PRESIDENT AND THE CONGRESS
OF THE
NATIONAL ADVISORY COMMITTEE FOR
JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Submitted Pursuant to Section 207(e)
of the Juvenile Justice and
Delinquency Prevention Act of 1974 (Pub. L. 93-415),
as Amended Through December 8, 1980

Washington, D.C.
March 31, 1983

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION
NATIONAL ADVISORY COMMITTEE FOR JUVENILE
JUSTICE AND DELINQUENCY PREVENTION
WASHINGTON, D.C. 20531

The President of the United States
The White House
Washington, D.C.

Dear Mr. President:

I have the honor to transmit herewith, pursuant to the provisions of Section 207(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (Pub. L. 93-415), as amended, the Seventh Annual Report of the National Advisory Committee for Juvenile Justice and Delinquency Prevention.

Respectfully,

Bud Wilkinson

Charles B. (Bud) Wilkinson
Chairman

Washington, D.C.
March 31, 1983

NATIONAL ADVISORY COMMITTEE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Chairman

Charles B. (Bud) Wilkinson
Chairman of the Board
The Public Employees
Benefit Services Corporation
St. Louis, Missouri

Joseph G. Bertroche
Bertroche, Cunningham,
Abendroth, & Russell
Des Moines, Iowa

James C. Dobson, Jr.
Associate Clinical Professor
of Pediatrics
University of Southern
California
School of Medicine
Arcadia, California

William L. Hart
Chief of Police
Detroit, Michigan

Edward V. Healey, Jr.
Associate Justice and
Administrative Judge
Family Court of Rhode Island
Providence, Rhode Island

John R. Milligan
Judge, Fifth District
Court of Appeals
Canton, Ohio

Allan B. Moore
Student
Harvard College
Cambridge, Massachusetts

Richard D. Parsons
Managing Partner
Patterson, Belknap,
Webb & Tyler
New York, New York

Beverly A. Scherling
Aurora, Colorado

Donna M. Smith
Student
George Mason University
Fairfax, Virginia

Stephen E. Wittman
Attorney
San Diego, California

Charles Wright
Judge
Court of Common Pleas of Philadelphia County
Philadelphia, Pennsylvania

SUMMARY OF THE YEAR

This report presents a concise account of the activities of the National Advisory Committee for Juvenile Justice and Delinquency Prevention for Fiscal Year 1982. It contains a brief account of the two meetings that the Committee held during that period (on June 28-29 and September 20-21, 1982) and a section on the general activities and findings of the Office of Juvenile Justice and Deliquency Prevention, part of the U.S. Department of Justice, in relation to which the Committee has certain statutory responsibilities.

The remainder of the report consists of descriptions of four subject areas of particular interest to the Committee: Juvenile Justice Standards, Federal Liaison Activities, Illegal Immigrants, and Probation.

This report contains no policy recommendations. The Committee intends to issue a special report on: (1) legislative recommmendations for reauthorization under the Juvenile Justice and Delinquency Prevention Act of 1974 (Pub. L. 93-415); and (2) future priorities.

SUMMARY OF MINUTES OF THE MEETINGS OF THE NATIONAL ADVISORY COMMITTEEE

Meeting of June 28-29, 1982

On June 28, the Attorney General administered the oath of office to the Chairman and members of the Committee, whereupon the Chairman called to order the first meeting of the Committee. All appointed members were present; however, a statutory quorum (10) was not possible. The Committee received briefings in a number of areas and expressed a consensus view in regard to a solicitation for the National Juvenile Justice Standards Resource and Demonstration Program (see the section on Juvenile Justice Standards, herein, for details). The Committee also discussed its future agenda and long-range goals.

Meeting of September 20-21, 1982

On September 20, the Committee opened its second meeting. All appointed members were present, but a statutory quorum (10) was not possible. The Committee received briefings in a number of areas, and discussed the establishment of subcommittees. It passed two motions regarding the National Juvenile Justice Standards Resource and Demonstration Program (see the section on Juvenile Justice Standards, herein, for details). It adopted a motion to invite to each of its meetings members (preferably chairs) of one or two State Advisory Groups. The Committee also advised the Office of Juvenile Justice and Delinquency Prevention on its 1983 program plans.

ACTIVITIES AND FINDINGS UNDER THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

The Office of Juvenile Justice and Delinquency Prevention (the Office), acting with the advice of the Committee, is responsible for the following four major functions:

- Assistance to States and local communities to enhance juvenile justice and reduce delinquency.
- Special Emphasis prevention and treatment program initiatives of critical importance that are developed, tested, and demonstrated as successful programs.
- The National Institute for Juvenile Justice and Deliquency Prevention (the Institute), which conducts research, evaluates programs, provides specialized training, and disseminates information of value to concerned agencies.
- Coordination of Federal efforts in the area through the interagency Federal Coordinating Council, which is chaired by the Administrator of the Office and staffed by the Office. (See the discussion of the activity in the section on Federal Liaison Activities, below.)

ASSISTANCE TO STATES AND COMMUNITIES

Formula Grants

The Office provides grants to participating States according to a formula based on their population of juveniles under the age of 18. During fiscal year 1982, 45 States and Puerto Rico, Guam, American Samoa, the Trust Territories, the Virgin Islands, and the Northern Marianas received formula grant awards totalling $42,665,000. The minimum allocation to each State was $225,000 and to the latter, $56,250. The total funds allocated amounted to almost two-thirds of the Office's budget and were dedicated by the States to the development and maintenance of juvenile justice and delinquency prevention programs.

Technical Assistance

More than 440 instances of technical assistance and more than 2,300 work-hours were provided by the Office to State and local agencies in fiscal year 1982. Assistance was given in a number of areas, with the emphasis on alternatives to the juvenile justice system, removing juveniles from adult jails, serious and violent juvenile crime, the Foster Grandparent program, restitution, and delinquency prevention. Almost $2 million was committed to technical assistance in fiscal year 1982 in contracts and grants.

Technical assistance has supported the following three major goal areas:

- o Prevention: To preclude the initial occurrence of all types of juvenile offenses, including minor, serious, violent, and status offenses.
- o Alternatives to the system: To establish alternative responses to delinquent behavior for those juveniles who have had some official contact with the system.
- o Improvement of the system: To develop and assist the implementation of policies and procedures by the agencies of juvenile justice that promote future law-abiding behavior, insure effective allocation of system resources, and otherwise enhance administration.

In addition, technical assistance supported those sections of the Act that corroborate the high value of least restrictive confinement and community-based treatment.

SPECIAL EMPHASIS

The following major demonstration programs were continued in fiscal year 1982:

- o Restitution by Juvenile Offenders provided the courts with the alternative sanction of requiring offenders to render monetary or victim or community services restitution through appropriate work.
- o Project New Pride provided specially designed intensive, comprehensive, community-based treatment for serious offenders; it reduced recidivism, increased school and social achievements, and provided employment opportunities.

- The Alternative Education Program reduced drop-out, truancy, and suspension rates through special modification of ineffective and adverse school policies and curricula, and provision of special educational options for youths whose needs were not being met in traditional classrooms.

- The Removal of Juveniles from Adult Jails and Lock-ups program assisted communities in accomplishing this self-explanatory goal.

- Delinquency Prevention Through Capacity Building was designed to increase the capacity of public and private groups to prevent delinquency through a variety of programs, including crisis intervention, peer counseling, and job training and placement. Programs to improve the administration of justice were included in this initiative.

- The Violent Juvenile Offender program is a major research and development effort with two subprograms. Part I used the most effective known approaches, which included development of performance contracts with young offenders that specified services to be provided, the responsibilites of the youth, and the penalties if contract terms were not met. Medical, dental, psychological, and psychiatric analyses and complete family, social, and criminal histories were done, as well as vocational and other skill assessments, and remedial services were provided. Part II tested the ability of community organizations to mobilize residents for the purpose of controlling youths' behavior and to encourage local institutions to exercise more effective control and supervision of youths.

The preliminary evaluation report for the Restitution program during the first two years, 1979-1981, showed the following major accomplishments:

- Of the 15,427 closed Restitution cases, 83 percent of involved juveniles had no further contact with the juvenile court prior to case closure.

- Program costs averaged approximately $1,000 per youth, while incarceration costs ranged from $24,000 to $43,000 per year.

- Some 17,300 youths participated in the first 2 years, paying $1,532,966 in monetary restitution, working 259,092 hours in community service, and performing more than 4,060 hours of direct victim services. More than 18,390 victims and $9.5 million were involved in the offenses committed by these youths.

Results for Project New Pride showed that many serious juvenile offenders who failed in traditional programs made considerable progress after enrollment in Project New Pride. Some of these results follow:

- Through September 1982, 1,448 youngsters were referred to New Pride;there were 877 active clients, and 238 youngsters completed the 12-month program. Many who did not complete the 12 months left under positive circumstances.

- The average monthly percentage of clients charged with committing offenses dropped from 22.8 percent prior to admission to New Pride to 9.2 percent after admission. The average number of offenses per month dropped from 91.4 before New Pride admission to 24.8 after admission.

- Two-thirds of clients were school dropouts; during enrollment, the average percentage of unexcused school absences dropped from 58 percent to 36 percent.

- The average testing gain in mathematics was one year; the average gain in reading was approximately two years. These preliminary findings of gains in scores were highly significant statistically.

- The average cost per child (all serious offenders) in New Pride was approximately $6,000; the average cost per child for incarceration was $24,000 to $43,000.

The Alternative Education program also showed encouraging results, including the following:

- More than 10,000 students have participated with more than 1,000 teachers and school administrators receiving training in alternative education techniques.

- Projects resulted in some level of system change at 85 percent of the project sites. Changes range from specific procedural modifications to the adoption of an alternative way of dealing with expulsion and suspension by an entire school district.

- Attendance improved significantly in project schools, with considerable academic improvement in some places. Referrals for disciplinary action also decreased at some sites.

THE NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELIQUENCY PREVENTION

Specialized Training and Information Dissemination

During fiscal year 1982, the Institute supported 23 training projects that were carried out by specialized public and private organizations and institutions concerned with improving juvenile justice. Approximately 2,000 juvenile court judges and other court-related management personnel and professionals, educators, administrators of juvenile correctional institutions and community-based alternative programs, law enforcement personnel, and persons associated with employment and family counseling programs participated in and benefited from the training.

More than $2,000,000 was awarded to eight information dissemination projects. One project, the National Criminal Justice Reference Service, responded to approximately 2,900 information requests from researchers, judges, legislators, and others involved in criminal justice.

In addition, the Office concluded an agreement with the Federal Law Enforcement Training Center in Georgia for seminars addressed to law enforcement administrators on current issues in juvenile justice and on presentations of modern police management strategies to improve police juvenile services.

Research and Evaluation

Data and analyses supplied by the Institute indicated that relatively few juvenile offenders continued criminal behavior as adults; however, research also confirmed that some of these youths become career criminals who are responsible for the majority of serious and violent crimes through late adolescence and early adulthood. Development and testing of new prevention and intervention programs for these youths included the following activities:

- The extent, characteristics, and trends of delinquency were being assessed.
- Justice systems for processing juvenile offenders were being analyzed.
- Longitudinal studies were being pursued to improve understanding of delinquent careers and the capability to predict future involvement in crime.
- Research on justice system organization policies and practices was being designed to determine the most effective and efficient methods of handling juvenile offenders.
- National evaluations of Office Special Emphasis demonstration and research and development programs in the areas of prevention, restitution, and more intensive correctional programs for serious juvenile offenders were being conducted.
- A major share of funds was being devoted to a special program of research on serious juvenile crime.

Projects focusing on the development of safe and effective alternatives to traditional correctional institution programs were also continued.

The highlights of the preliminary and final results of research were:

- National rates of juvenile crime appeared to be leveling off; however, the seriousness of crimes committed by juveniles increased in several urban centers.
- The results of a national survey of self-reported delinquency and drug use indicated an increase in drug use, including alcohol, among juveniles. A clear association was found between frequency and number of drugs used and delinquency.
- Learning disabilities increased the frequency of self-reported delinquency and the probability of arrest and adjudication.

JUVENILE JUSTICE STANDARDS

Standards for the juvenile justice system were a subject of interest and action by the National Advisory Committee for Juvenile Justice and Delinquency Prevention (the Committee) during fiscal year 1982. Under Section 207(d)(4), the Committee has special responsibilities to "make refinements in recommended standards for the administration of juvenile justice at the Federal, State, and local levels . . . ."

At its first meeting in fiscal year 1982, held on June 28, 1982, the Committee considered a proposed solicitation by the Office for applicants to conduct a demonstration of juvenile justice standards. Expenditures totaling $800,000 were contemplated and the program included proposed standards covering five areas:

- o Prevention.
- o Administration.
- o Intervention.
- o Adjudication.
- o Supervision.

Committee members expressed concern about the timing, cost, format, scope, and application of the program and requested additional information on the plans. The draft solicitation, which had been issued on June 15, 1982, was cancelled on June 28, 1982, in order to give Committee members the opportunity to become acquainted with the issues involved and to study optional actions. The resulting delay also provided the opportunity for public comment on the feasibility, desirability, and utility of pursuing alternative strategies, including the development of a model State juvenile code.

The next meeting of the Committee was held on September 20, 1982. In preparation, the Office had provided each member with relevant review materials that included:

- o Standards that had been prepared by the predecessor Committee.
- o Comparative analyses.
- o Correspondence from national, State, and local respondents.
- o An options paper discussing nine possible options.

The Committee discussed the matter and listened to a panel of experts in juvenile codes and standards and representatives from State and from other national advisory groups. These addressed the merits of the various proposals.

The Committee then advised the Administrator not to proceed with any standards initiative or implementation at this time.

The Committee requested the Office to draft, for presentation at its next meeting, several methods of continuing the availability of documents on standards. It also requested the Office to propose additional means of disseminating information to State and local governments. Finally, the Committee advised the Office to prepare a plan for the development of a model code incorporating minimum legal constitutional requirements for State and local governments.

To oversee activities in the area of juvenile justice standards between meetings, a Subcommittee to Develop a Model Code Incorporating Constitutional Standards for Juvenile Justice was designated. Its members were Judge Healey (Chairman), Judge Milligan, and Judge Wright.

FEDERAL LIAISON ACTIVITIES

The National Advisory Committee (the Committee) for Juvenile Justice and Delinquency Prevention was informed of liaison and coordination activities among Federal agencies concerned with juvenile justice and delinquency prevention at its meeting on September 20, 1982. Under the Juvenile Justice and Delinquency Prevention Act of 1974 (Pub. L. 93-415), as amended (the Act), responsibility for the coordination of "all Federal juvenile delinquency programs" rests with the Coordinating Council on Juvenile Justice and Delinquency Prevention, an independent, Cabinet-level organization within the executive branch, created by Section 206(a)(1) of the Act. The members of the Council include:

Attorney General
Secretary of Health and Human Services
Secretary of Labor
Secretary of Education
Secretary of Housing and Urban Development
Director of the Community Services Administration
Director of the Office of Drug Abuse Policy
Director of the ACTION Agency
Director of the Bureau of Prisons
Commissioner of the Bureau of Indian Affairs
Director for the Office of Special Education and Rehabilitation Services
Commissioner for the Administration for Children, Youth, and Families
Director of the Youth Development Bureau
Director of the Office of Justice Assistance, Research and Statistics
Administrator of the Office of Juvenile Justice and Delinquency Prevention
Deputy Administrator of the National Institute for Juvenile Justice and Delinquency Prevention
Director of the National Institute of Justice
representatives of such other agencies as the President shall designate (Section (206)(a)(1)).

The Committee appointed one of its members, Joseph Bertroche, to serve as liaison with the Council. He attended all Council meetings.

Program Plan

In 1981 the Council began work on a program plan that is intended to guide the work of the Council to 1984. Development of the plan led to hearings conducted by the Council in the District of Columbia and in Denver, Colo., during March 1982. The Council invited comment on four areas that it had selected for further research and discussion. The 58 State and local governments, private agencies, and organizations that responded to the Council's invitation indicated that the areas should be ranked in the following order:

- Schools and deliquency;
- Treatment alternatives (especially for serious juvenile offenders);
- Youth development; and
- Substance abuse.

The hearings were followed by a working session of the Council in May 1982. Five recommendations were selected for concentrated attention and a workplan was developed for each:

- Facilitating school-related approaches to delinquency prevention;
- Facilitating the development of alcohol and drug abuse prevention;
- Developing treatment alternatives for drug- and alcohol-abusing juveniles;
- Encouraging youth involvement in the community through private sector and government programs; and
- Assisting Federal and State decisionmakers in the appropriate placement of juveniles.

The effort had a three-part objective:

- To develop consistent and implementable Federal policies;
- To provide technical assistance and training, replicable program models, and research, development, and evaluation strategies; and
- To disseminate timely and relevant information.

Youth in Federal Custody

The Council continued its examination of the policies of Federal agencies that may hold youths in custody to insure that these policies were in agreement with the mandates of the Act. Particular attention was given to the policies of the Bureau of Prisons (U.S. Department of Justice).

Native American Youth

A 1981 study commissioned by the Council and the Office, Children in Custody, yielded no information on the status of Native American youth in Federal custody; consequently, the Council directed its staff to collect and disseminate the needed data. An initial report, containing preliminary information on tribal entities, legal and law enforcement structures, and available detention and other facilities, was completed in February 1982.

State Coordination of Youth Services

An interagency agreement between the Office and the Administration for Children, Youth, and Families (U.S. Department of Health and Human Services) resulted in the initiation of a study of State mechanisms for coordinating youth-serving programs and policies. The survey was begun in the fall of 1982; results were expected early in 1983.

Survey of Programs

The National Institute for Juvenile Justice and Delinquency Prevention had begun a survey of residential and non-residential programs for children and youths. The Council assisted in this project by developing and sending a letter, signed by officials of the Office, the Administration for Children, Youth, and Families, and the National Institute of Mental Health, that urged program directors to complete and return the survey form. The survey was intended to supply national information about facilities and programs that served children and youths who were in need of help because they are dependent, neglected, and abused, delinquent, emotionally disturbed, mentally ill, pregnant, users of illegal substances, status offenders, or without shelter or care. Preliminary reports were scheduled for December 1982; final reports were scheduled for 1984.

Interagency Agreements

The Office and the U.S. Department of Labor developed an interagency agreement that resulted in formation of Act Together, a national corporation whose purpose was to promote the development of model programs for youths with multiple problems. Act Together's demonstration program began in March 1982; its first quarterly report was submitted in October 1982.

In August 1982, the Office also contributed funds to two projects that accept and use as volunteers youths who are status offenders or under the jurisdiction of the juvenile justice system. These projects, directed by the ACTION Agency, were intended to reduce the likelihood that these youths will be further involved with the criminal justice system. Their results could also help to test the feasibility of the Council's fourth area of concentration, encouraging youth involvement in the community. On behalf of the Council, the Office agreed with the National School Board Association to undertake the production of a source book on school-based delinquency prevention programs.

ILLEGAL IMMIGRANTS

The National Advisory Committee for Juvenile Justice and Delinquency Prevention directed its attention in Fiscal Year 1982 to certain problems of illegal immigrant juveniles, part of the larger problem of illegal immigration into the United States, particularly across the Mexican border.

American and Mexican officials identified the following specific problems concerning alien juvenile offenders:

1. 3,000 to 6,000 juveniles were estimated to enter the United States illegally each year and commit crimes.
2. Dispositional alternatives that were applied once these juveniles were apprehended were not satisfactory.

Immigrant juveniles who were apprehended by law enforcement officials were either taken to court (if the offense was serious or if the youth was a repeat offender), or transferred to the Immigration and Naturalization Service for disposition. Youths taken to court were sometimes detained in a county detention center if additional court appearances were required. Approximately 675 youths were processed through this arrangement. These alien juvenile offenders were causing consternation among officials of the border States as well as to Mexican officials.

In April 1982, the United States and Mexico approved the following recommendation related to alien juvenile offenders:

> "That when (recommended Mexican Government) studies are concluded and a (Mexican Government) position arrived at, a meeting be held by the responsible authorities of both countries in order to determine if joint preventive measures might be agreed upon."

In September 1982, the Mexican Government sent a letter to Assistant Secretary of State Thomas D. Enders, stating that their studies of the issues had begun and, when the studies were complete, they would call for a bilateral meeting.

Major Issues

The major issues in this area included the following:

1. Illegal juvenile aliens:
    a. For those who committed crimes, the issues included the amount of crime, appropriate punishment, the matter of their incarceration in a country foreign to them, and the expense involved for State and county governments.

b. For those who were apprehended for something other than committing a crime (usually for an immigration offense), the issues included the appropriate role for Federal agencies such as the Immigration and Naturalization Service, the U.S. Marshals Service, and the Bureau of Prisons, and the question of whether the holding of such juveniles in facilities was inconsistent with Federal law.

2. Legal juvenile aliens: Regarding those who committed crime, the issues included the amount of crime and the response of the jurisdictions in which the crimes were committed.

PROBATION

During 1982 the National Advisory Committee for Juvenile Justice and Delinquency Prevention (the Committee) reviewed the past and current program activities of the Office of Juvenile Justice and Delinquency Prevention (the Office). The review was designed to determine what attention was being given to those areas of juvenile justice and delinquency prevention in which the Federal Government should be active.

Juvenile probation was one such area. The Committee observed that very little attention was given to juvenile probation between 1974 and 1982. In addition, the Committee noted, it was difficult to determine the status of juvenile probation at the State and local levels, because relevant data had not been developed or examined as extensively as had data on adult probation. Consequently, decisionmakers at the Federal, State, and local levels operated without assistance or accurate information in an area that affected an estimated 445,000 juveniles throughout the country (1979 figures).

The Committee noted that the development of a juvenile probation classification system might help to accomplish the following:

- Provide a rational framework for supervising serious juvenile offenders in a community.
- Allow State and local agencies to allocate their juvenile probation resources in the most cost-effective manner.
- Supply each State and local juvenile justice system with information essential to planning, evaluation, research, budgeting, and staff accountability.

The Committee was aware that the Office had begun work on the development of a consensus on probation and on the development of various models for probation systems. The effort to develop, refine, and test various models for juvenile probation systems through the use of existing contractual or other resources was continuing.

Delinquency Prevention: An Overview for Policy Development

I. The Need for Preventing Juvenile Crime

Statement of the Problem

During the past ten years, the public has focused increasing attention on a nationally recognized and serious social problem, juvenile crime. The nature of juvenile crime is complex. It resists quick judgments or sensational conclusions. Numbers and percentages alone do not tell the whole story. Still, by any standard, the numbers and percentages are startling. Official crime statistics dramatically illustrate the problem:

- Young people under the age of 17 account for over one-third of all felony crimes nationwide.
- The cost of school vandalism is well over 200 million dollars a year. For youths, ages 12 to 15, 68% of the robberies and 50% of the assaults against youngsters of this age occur in school.
- During recent years, there has been over 200% increase in arrests for young men and young women. It is estimated that well over a half million youth are currently incarcerated. In 1979, youth, ages 12 to 20, accounted for 38% of all violent crime arrests, 62% of all serious property crime arrests and 57% of all overall serious crime arrests.

When these alarming statistics are combined with other information sources, it is disturbingly clear that juvenile delinquency is a pervasive and epidemic problem. It cuts across all class, race and sex lines. There is no demographic or socioeconomic group that can be eliminated from the "at risk" category. Furthermore, other forms of youthful misbehavior such as drug and alcohol abuse, school truancy and status offenses are closely connected to the incidence of delinquency. Juvenile crime wastes one of the nation's most precious resources, the young, who are vital to the expansion of national productivity. In total, the social and economic costs of delinquency are enormous.

Clearly, the prevention of juvenile delinquency compels national attention. Prevention, however, is not simply a local problem. Because juvenile crime is inextricably intertwined with local, state and national conditions, laws and policies, strategies to reduce and prevent delinquency require concerted action by communities, states and the Federal government.

Significant Federal, state and local resources have been focused on the serious problem of juvenile delinquency. Most of these resources have been directed to the treatment and rehabilitation of youthful offenders rather than to the prevention of youth crime. There have been several reasons for the emphasis on treatment.

Delinquency prevention has been an elusive concept, not amenable to easy program development, implementation, or evaluation. Traditionally, many state and local juvenile justice professionals have had difficulty in understanding and defining prevention approaches, and even greater problems in assessing the impact of these approaches. Past attempts to focus on prevention programming have suffered from one of three impediments:

- Many prevention efforts have been based on explanations of delinquency causality that have no defensible basis. Casework, individual psychotherapy, and group counseling are but three approaches that presume personality differences or biological differences as causes of delinquency. Evidence indicates that none of the above approaches are effective in reducing delinquency.

- Other efforts represent the inappropriate or ineffective implementation of defensible explanations of delinquency. These include recreation programs, behavior modification confined to treatment settings and wilderness programs without follow-up in the client's community.

- Some programs do show promise, but for limited numbers of youth and at substantial costs per client. An example would be noncoercive programs to teach parents social learning theory and monitor their use of it.

Most of the above programs exhaust the usual repertoire of delinquency prevention strategies of many organizations.

The Juvenile Justice and Delinquency Prevention Act of 1974, as amended in 1977 and 1980, clearly mandates the Office of Juvenile Justice and Delinquency Prevention to:

> "provide the necessary resources, leadership and coordination...to increase the capacity of state and local governments and public and private agencies to conduct effective delinquency prevention programs and to provide research, evaluation and training services in the field of juvenile delinquency prevention." (Section 102 b).

The Congressional intent was that OJJDP serve as the focal point for the coordination of prevention efforts within the Federal government.

Definition of Prevention

One of the early problems faced by the Office and by delinquency prevention practioners was defining prevention. Historically, what has passed as delinquency prevention within the juvenile justice system is basically delinquency control, simply because it has been implemented after the illegal behavior and often a juvenile justice system reaction has occurred. "If societal action is motivated by an offense that has already taken place, we are dealing with control; if the offense is only anticipated, we are dealing with prevention." (Lejins, 1967).

After years of research and program testing under the leadership of OJJDP, researchers and practitioners are distinguishing delinquency prevention from other forms of delinquency programs, such as diversion or probation:

> "Delinquency prevention" refers to activities designed to reduce the incidence of delinquent acts and directed to youth who are not being dealt with as a result of contact with the juvenile justice system (OJJDP, 1977).

This definition presents three criteria: First, the activity should be "designed" versus "hoped" or "directed at." Second, the activity should be designed to reduce delinquent *acts*. While rates of contact and arrest should be affected, the first purpose is to reduce the commission of acts, from which the first and main social costs flow. The third criterion specifically exludes probation, incarceration, forms of diversion and other activities in which youth are being dealt with as a result of contact with the juvenile justice system. These activities are a *reaction* to actual or alleged delinquent acts.

Prevention can be further differentiated into two categories: corrective and preclusive. *Corrective* prevention seeks to identify predelinquents or youths who are high risks for delinquency and to correct their behavioral tendencies or criminogenic circumstances before delinquency results. In contrast, *preclusive* prevention does not seek to correct individuals or groups who are identified as on the path to becoming delinquent. Rather, it attempts to preclude the initial occurrence of delinquency, primarily at the organizational, institutional, social structural and cultural levels of intervention.

Corrective prevention has been the traditional approach to delinquency prevention. There are three types of corrective prevention:

- tertiary corrective prevention typically within the juvenile justice system focused on delinquents;
- secondary corrective prevention within the juvenile justice system focused on predelinquents; and
- secondary corrective prevention outside the juvenile justice system focused on high risk youths.

All three types seek to identify and correct delinquents or potential delinquents.

Tertiary corrective prevention within the juvenile justice system has been primarily used to "correct" identified *delinquents* in order to change their future behavior. The objective is to change delinquents into nondelinquents. This individualized corrective approach reflects the rehabilitative ideal of the traditional juvenile justice system.

Secondary corrective prevention *within* the juvenile justice system is aimed at individuals who are identified as *predelinquent*. These are youngsters whose behavior, environment, or other attributes are identified as predictive of more serious involvement in crime and, perhaps, a delinquent career. The object, then, is to prevent an identified predelinquent from becoming a delinquent. Outside of the juvenile justice system it is aimed at high risk youths who have not had any contact with the juvenile justice system or at least are not selected for a prevention program for this reason. This type of corrective prevention is based on the identification of behavior or attributes that place a population of juveniles at risk for delinquency.

Primary or preclusive prevention has been identified as the most promising prevention approach because it focuses on precluding the initial occurence of delinquency, specifically at the organizational, institutional, social and cultural levels of intervention.

Each type of prevention has its own logic, limitations, and special relationship to prediction. Prevention is logically dependent on prediction which can be based on extrapolation and/or causal prediction. Prediction is involved both at the beginning and end of any intervention effort: to justify intervention the decision is made that some kind of prevention is necessary to avert a predicted undesirable outcome; once intervention is completed, the actual outcome is observed to determine whether the intervention was successful. Without clear definitions, and valid and reliable measurement of outcomes, there cannot be vigorous assessment of either prediction or prevention efforts.

Recent theories indicate that delinquent behavior is a product of social processes bound up in the institutions dealing with youth, namely the family, school, peers, and work. Therefore, the reduction of delinquent acts requires systematic changes in these institutional domains to create more effective socialization, stronger bonding, increased opportunity for success and/or reduced negative labeling.

Under the leadership and coordination of OJJDP, recent initiatives are overcoming the vagueness and lack of results of past prevention efforts. Research and demonstration efforts are providing a firm basis for the development, implementation, and evaluation of promising program efforts to prevent and reduce delinquency.

II. Delinquency Prevention, Theory and Practice

State of the Art in Delinquency Prevention

Programs that effectively prevent delinquency require a base in empirically supported theories. Contemporary theories with empirical support have been demonstrated to be complementary. An integration of several theories has been accomplished by Hawkins and Weis (1980) and by Elliott, Ageton and Canter (1979). Hawkins and Weis have constructed the Social Development Model while Elliott, Ageton and Canter have proposed a Strain-Control Paradigm. The following brief analysis highlights the correlates and causes of delinquency and suggests specific programs for successful intervention.

The Social Development Model (Hawkins and Weis, 1980) results from a synthesis of bonding and social learning theories. The model specifies that social development is a process through which the primary units (family, school, peers and community) and the elements (attachment, commitment, involvement and belief) interrelate in a causal order to sequentially influence the behavior of a developing individual. Figure 1 presents the Social Development Model. (The arrows and valences indicate the direction of the relationship, the causal chain moving from left to right with "+" indicating a positive association and "-" indicating a negative association between variables.)

Three independent variables influence youths toward law-abiding behavior and away from delinquent activity:

- opportunities for involvement in conforming activities;
- skills necessary for being involved successfully; and
- consistent expectations and rewards for participation.

Different "causes" of delinquency have different effects at different points. An example of the interrelationship of the tenets of this Model is as follows: The development of attachment to parents will lead to committment to education and attachment to school, and to belief in and commitment to the conventional moral order and the law. These attachments, commitments and beliefs are intercorrelated and in turn directly prevent a youngster from engaging in delinquent behavior and indirectly prevent delinquent behavior by insulating a youngster against delinquent peer influence. Involvement with and attachment to nonconforming peers encourages delinquent behavior and reinforces the inclination to engage in crime among those youngsters who have low stakes in conformity.

A second recent theoretical model, the Strain-Control Paradigm (Elliott, Ageton and Canter, 1977), synthesizes strain, control, social learning and labeling theories. Predicated on the presence of strong bonds or weak bonds in early socialization, it traces two main paths to delinquent behavior. In one, initially strong bonds are weakened by factors such as "failure in conventional contexts" and "negative labeling experiences," which lead to involvement in delinquent peer groups and often delinquent

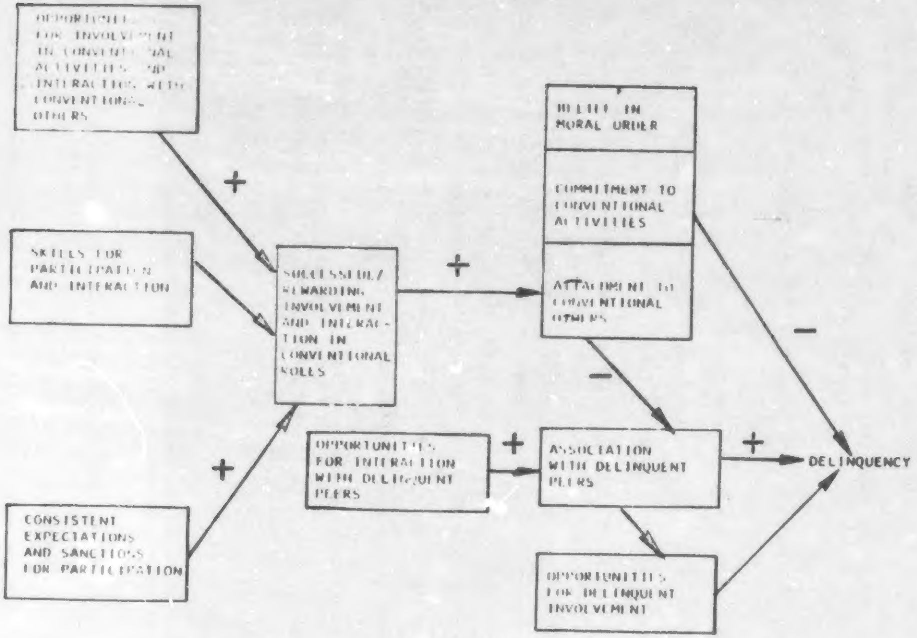

OPPORTUNITIES FOR INVOLVEMENT IN CONVENTIONAL ACTIVITIES AND INTERACTION WITH CONVENTIONAL OTHERS
SKILLS FOR PARTICIPATION AND INTERACTION
CONSISTENT EXPECTATIONS AND SANCTIONS FOR PARTICIPATION
+
+
SUCCESSFUL/REWARDING INVOLVEMENT AND INTERACTION IN CONVENTIONAL ROLES
+
BELIEF IN MORAL ORDER
COMMITMENT TO CONVENTIONAL ACTIVITIES
ATTACHMENT TO CONVENTIONAL OTHERS
−
−
OPPORTUNITIES FOR INTERACTION WITH DELINQUENT PEERS
+
ASSOCIATION WITH DELINQUENT PEERS
+
DELINQUENCY
OPPORTUNITIES FOR DELINQUENT INVOLVEMENT

Figure 1 Social Development Model

behavior. The second path begins with initially weak bonds which remain that way, thus increasing the young person's chances of involvement with delinquent peer groups and the likelihood of engaging in delinquent behavior patterns. Figure 2 presents an overview of the Strain-Control Paradigm.

In the Strain-Control Paradigm, factors which strengthen or weaken bonds include:

- Success or failure in conventional contexts,
- Increasing integration versus social isolation,
- Positive or negative labeling experiences.

The Hawkins and Weis Model describes the concepts of opportunity, skill and reinforcement as follows:

- Opportunities for involvement in conventional activities are necessary structural conditions for the development of commitment.
- Skills must be possessed by both youthful participants and by others (such as parents or teachers) with whom youths are involved.
- Different actors in youths' social environment must be consistent in their expectations for and responses to behavior if conforming behavior is to be continually reinforced.

In both of these theoretical models, bonding plays a central role. The pathway to bonding proceeds from opportunity/intergration, skill/success, and reinforcement/labeling to psychological bonding. A combination of these two models suggested by Bird (1981) stresses that these factors are mediated by the level of the organization/disorganization within a given environment. (See Figure 3.)

The degree to which social settings are "organized" or "disorganized" can mediate the effects of opportunity, skill and reinforcement in such a way as to enhance or attenuate bonding (Elliott, Ageton, and Canter, 1979). For example:

- Opportunities are less discernable and less reliable in disorganized settings. One day there is a job, and the next there is not, or the definition of the job shifts.
- When settings are disorganized, there is less assurance and less chance of attaining needed skills and information; e.g., disorganized teachers have difficulty making their expectations for performance clear and are inconsistent in providing the necessary instruction.
- When settings are disorganized, reinforcements are less likely to be consistent. Rules are often seen as whimsical or arbitrary, promoting disbelief in their validity.

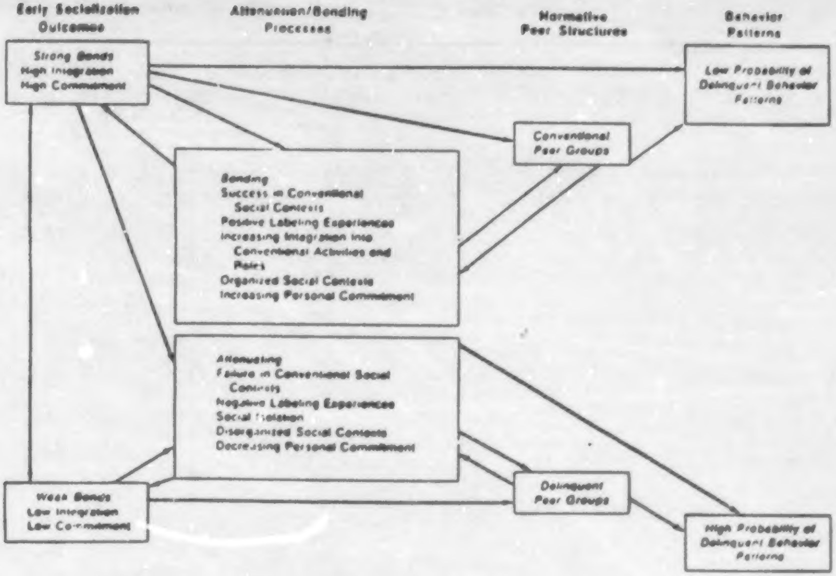

Early Socialization Outcomes
Attenuation/Bonding Processes
Normative Peer Structures
Behavior Patterns
Strong Bonds
High Integration
High Commitment
Low Probability of Delinquent Behavior Patterns
Conventional Peer Groups
Bonding
Success in Conventional Social Contexts
Positive Labeling Experiences
Increasing Integration into Conventional Activities and Roles
Organized Social Contexts
Increasing Personal Commitment
Attenuating
Failure in Conventional Social Contexts
Negative Labeling Experiences
Social Isolation
Disorganized Social Contexts
Decreasing Personal Commitment
Weak Bonds
Low Integration
Low Commitment
Delinquent Peer Groups
High Probability of Delinquent Behavior Patterns

Figure 2 Strain Control Paradigm

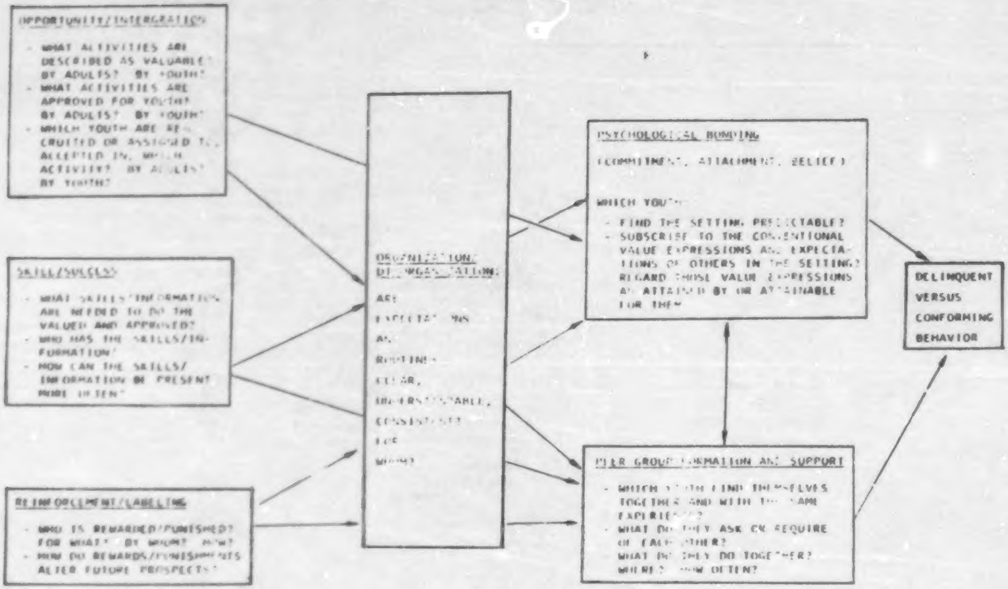

OPPORTUNITY/INTERGRATION
- WHAT ACTIVITIES ARE DESCRIBED AS VALUABLE? BY ADULTS? BY YOUTH?
- WHAT ACTIVITIES ARE APPROVED FOR YOUTH? BY ADULTS? BY YOUTH?
- WHICH YOUTH ARE RECRUITED OR ASSIGNED TO, ACCEPTED IN, WHICH ACTIVITY? BY ADULTS? BY YOUTH?
SKILL/SUCCESS
- WHAT SKILLS/INFORMATION ARE NEEDED TO DO THE VALUED AND APPROVED?
- WHO HAS THE SKILLS/INFORMATION?
- HOW CAN THE SKILLS/INFORMATION BE PRESENT MORE OFTEN?
REINFORCEMENT/LABELLING
- WHO IS REWARDED/PUNISHED? FOR WHAT? BY WHOM? HOW?
- HOW DO REWARDS/PUNISHMENTS ALTER FUTURE PROSPECTS?
ORGANIZATION/DISORGANIZATION:
ARE
EXPECTATIONS
AND
ROUTINES
CLEAR,
UNDERSTANDABLE,
CONSISTENT?
FOR
WHOM?
PSYCHOLOGICAL BONDING
(COMMITMENT, ATTACHMENT, BELIEF)
WHICH YOUTH:
- FIND THE SETTING PREDICTABLE?
- SUBSCRIBE TO THE CONVENTIONAL VALUE EXPRESSIONS AND EXPECTATIONS OF OTHERS IN THE SETTING? REGARD THOSE VALUE EXPRESSIONS AS ATTAINED BY OR ATTAINABLE FOR THEM
PEER GROUP FORMATION AND SUPPORT
- WHICH YOUTH FIND THEMSELVES TOGETHER AND WITH THE SAME EXPERIENCES?
- WHAT DO THEY ASK OR REQUIRE OF EACH OTHER?
- WHAT DO THEY DO TOGETHER? WHERE? HOW OFTEN?
DELINQUENT
VERSUS
CONFORMING
BEHAVIOR

Figure 3 Operational Expression of Synthesis of Both Models

In general, the more organized the setting, the more influential the variables of opportunity, skill and reinforcement. The less organized the setting, the less impact they will have.

Bird (1981) emphasizes that given the evidence, these variables (opportunity/integration, skill/success, reinforcement/labeling, and organization/disorganization) should be the logical and direct components of delinquency prevention programs. Organizational change strategies specifically aim at altering the structure and practices of institutions which directly or inadvertently generate alienation and thus delinquent behavior, to practices that increase the successful involvement of youth and promote law abiding behavior. These strategies can increase opportunity/integration; develop skill/success; and promote positive reinforcement/labeling.

The program implications of these theories for preventing juvenile delinquency can be summarized as follows:

> Institutional and organizational change of the family, the school, and the community provide a key to delinquency prevention through those institutions primarily responsible for the socialization and control of youth.
>
> The effectiveness of these institutions must be improved to create more adequate outer and inner containment of potentially antisocial behavior.
>
> Efforts to improve the effectiveness of the family should be directed at enhancing its direct control function and its ability to develop self-control among children.
>
> A family's direct control can be enhanced by organizing parents in supportive interaction networks. A family's ability to develop self-control in a child can be enhanced through more effective child-rearing practices, particularly those which affect the child's self-concept.
>
> Attachment to the school and commitment to education must be developed and sustained for as many students in as many ways as possible.
>
> Schools should organize their programs in order to improve the possibility of educational success, the relevance of curriculum to occupational careers, the commitments of youth to education and to community standards of behavior, and the means of integrating students into curricular and extracurricular activities.
>
> The expansion and equalization of access to legitimate opportunities to achieve are necessary to prevent delinquency.
>
> Educational and employment opportunities, in particular, must be made accessible, regardless of socioeconomic status or race. Educational

opportunities are most crucial since school performance determines employment prospects, and employment opportunities become most salient when formal education terminates.

Access to illegitimate opportunities should be restricted.

The community cultural milieu should be reorganized to remove the supports of the illegitimate opportunity structure. Community social control should be encouraged and directed at reducing the availability of delinquent adaptations.

The alienation of frustrated youth should be directed into legitimate expressions of discontent.

Those youngsters who are discontented with their social position and who believe it is a consequence of the social injustices of class and race privilege may express this alienation in conventional or delinquent ways. Society must provide legitimate expression of alienation and opportunities for the appropriate communication discontent.

Enhancing the self-concept of youngsters should be part of all institutional changes directed at delinquency prevention.

Good self-concepts are essential to effective self-control. Family, school, and juvenile justice system should encourge positive feedback in the socialization of youngsters.

Community control of prevention efforts and of other services for youth should be encouraged.

Community residents should have primary responsibility for the coordination of existing social services and the development of new programs. Indigenous leadership is invaluable since it reflects a sense of responsibility for the welfare of the community and youngsters respond more positively to community leaders than to outsiders.

The participation of youngsters, as well as adults, should be encouraged.

Increased community control should mean increased participation and power for all members of the community, particularly for the historically disenfranchised youth population. Self-help and other-help by youngsters is an effective preventive which is only possible through participation.

Delinquent groups should be coopted or disbanded.

One of the primary sources of criminal associations, the groups of delinquent peers in the community, should be directed into conventional behavior patterns; if change is not possible, groups should be dispersed.

Ties to conventional groups should be encouraged and developed.

> The community should actively support traditional social, religious, and fraternal groups for children within the community as a source of anti-criminal associations. Less traditional civil rights, political, and nationalist groups should also be utilized, especially for older youngsters who may be seeking ways to express their alienation and discontent.

Examples of these theoretical principles are presented in the second section of this chapter on promising program models.

Promising Delinquency Prevention Models

As discussed in the previous section, the most promising delinquency prevention theories suggest that those interventions likely to prevent or reduce juvenile involvement in illegal activity are those that increase the productive involvement of youth in our society. Prevention programs shouldaddress the elements of the child's environment which most directly affect his or her future: education, employment, community, family and peers. Promising strategies in each of these areas are provided as examples.

Practitioners and researchers who have attempted these strategies caution that no one strategy by itself can be expected to alter a child's environment sufficiently to preclude delinquent behavior by those children already alienated and who have little sense of self-worth. Comprehensive programs which seek to alleviate many of the conditions which have a negative influence on youth would be more productive and cost effective.

Education

The impact of the educational system on children has been more fully documented than any other of the five prevention areas. Research indicates that, during the years when children are most likely to become involved in delinquent activities, the school is the single most influential setting. Unfortunately the organizational structure of most schools is such that it often contributes to, rather than prevents, troublesome behavior among students.

Interventions most likely to increase law abiding behavior among students are:

- Changing the orientation of the curriculum to provide more students with experience and skills that will be useful to them after their school years. The most promising models emphasize increased student participation in work experiences, increased teacher and student partnerships in learning, and increased commitment to the community. Examples of such strategies are community service programs, experience based career education, and law related education.

- Changing Instructional Practices to increase the proportion of students who experience academic success and provide opportunities for all students to develop decision-making and participation skills. Examples are mastery learning, student team learning, and cross-age tutoring.

- Creating school-family programs to increase the consistency between parents' and teachers' expectations of the student, improve parent/child and parent/school communication, and provide parental problem solving skills. Examples of promising interventions are home-based reinforcement for school behavior, parent training, family crisis intervention, parent-teacher aide programs, home/school coordinators, and home/school councils.

- Improving school climate by identifying the negative and positive elements of given schools that contribute to the overall climate for learning and social development. The process should include school administration, teachers, parents and a cross-section of students.

- Creating schools-within-schools to divide larger schools into smaller units to encourage better teacher/student relationships and more positive student self-concepts.

Employment

There appears to be a strong correlation between reduction of delinquency and increases in opportunities for jobs that have meaning and status, and provide youth with chances for learning and advancement. Employment related prevention strategies which provide increased access to meaningful work and which engage families, employers, students and schools in partnerships offer the most promise for success. Examples of such strategies are:

- Integrating school and work programs such as vocational job placement services in the schools and vocational job training for high school students.

- Forming school/work councils which involve participation of community business people, public employment agencies, local Department of Labor prime sponsors and school representatives. These councils oversee and coordinate school employment efforts, identify and create placement opportunities for students, and develop and maintain linkages between the school-based employment programs nd the private sector.

- Providing relevant vocational/technical training in communities, especially whose with high rates of delinquency. Truancy and drop out rates at vocational/technical centers are significantly lower than those of traditional high schools.

Communities

Research data shows that delinquency is most likely to occur in neighborhoods that are highly disorganized and transient, where informal social controls are generally ineffective, and where there is less opportunity for youth to demonstrate skills and receive rewards for positive, productive behavior. Strategies that have been tried which incorporate elements to increase community ties and provide positive opportunities are:

- Using community crime prevention programs (block watches) with a social network strategy. Neighborhood members, including youth, participate in shared activities around the common goal of crime prevention.
- Providing community youth development programs which organize community members to assess and mobilize the community's resources and use these resources to provide positive youth development opportunities.
- Organizing community committees which coordinate and plan youth services, and support community crisis intervention projects.
- Forming youth committees which involve neighborhood youth, including gang members, to perform functions similar to those of community committees.
- Providing community advocates for youth who assist and instruct young people in finding constructive solutions to conflicts and disputes, and seek fair treatment for youth by service and control agencies.
- Planning community improvement projects which involve youth in planning and implementing activities to physically improve their neighborhoods and make them safer and move livable.

Families

Family problems formerly attributed to individual inadequacies are now being viewed as environmentally caused. Family strategies which show the most promise do not attempt to change individuals, but rather emphasize reducing stress, providing organization and helping with economic relief.

Examples of such interventions are:

- Organizing parent training so that families will acquire more effective child-rearing skills. Promising parent training programs are those that encourage participatory roles among all members of the family, improve parent/parent and parent/child communication, support fairness and impartiality in discpline, and provide positive reinforcement for a child's positive behavior.

- *Providing family crisis intervention*.
- *Forming parent support groups* to organize families with similar problems into networks.
- *Providing surrogate families* to provide a family-like environment within the community for children and adolescents lacking or unable to live with their natural families.
- *Organizing community services* to provide supervision for adolescents and children before and after school while the parents are not at home.

Peers

Peer group associations are the strongest correlate between law-abiding and non-law-abiding behavior among juveniles. This element, however, is related to the other elements since families, schools and communities are the strongest influences upon the nature of the juvenile peer group. Schools are likely to be the strongest association determinant.

Interventions that encourage positive peer group associations are:

- *Forming peer leadership groups* involving leaders of informal "cliques" of students who meet daily to identify and discuss school policy issues and to work with the school administration to develop reasonable solutions; such groups establish ties between delinquency-prone groups and more conventional peers.
- *Providing gang crisis intervention* to encourage long term resolution of inter-gang conflict and redirection of gangs into non-delinquent objectives and activities.
- *Forming youth gang councils* in order to create alternative objectives and activies for existing gangs.
- *Organizing peer tutoring or counseling* to involve students in providing support to students with problems. These programs include special training for the tutors or counselors.

III. History of Delinquency Prevention Efforts

Development Prior To The Juvenile Justice Act

Concern about juvenile delinquency as a national problem was expressed by the first White House Conference on Children in 1909. Three years later the U.S. Children's Bureau studied the effects of wartime conditions on delinquency, but this pioneering Federal effort was hampered by severely restricted funds and limited staff. It was not until 1936 that a separate delinquency division of the Children's Bureau was established to assist states in planning for child welfare grants authorized by the Social Security Act of 1935.

In the 1940s other Federal agencies joined the Children's Bureau in the delinquency field. For example, in 1946 the Department of Justice convened a National Conference on the Prevention and Control of Juvenile Delinquency. By 1948, amendments to the Public Health Services Act permitted the National Institute of Mental Health to administer grants to states for improved community mental health programs which were often aimed at delinquent youth. Also, in 1948 the Interdepartmental Committee on Children and Youth was created to foster close ties among various Federal agencies working with youth. The committee, however, failed to meet until 1952.

Increasing public alarm about the apparent increase in youth crime in the early 1950s led to the establishment of a United States Senate Subcommittee to investigate juvenile delinquency. Congress allocated only $44,000 to study juvenile delinquency nationwide. In 1954 the Secretary of the Department of Health, Education and Welfare (HEW) convened a national conference on juvenile delinquency and the Children's Bureau's activities in the delinquency field. By 1955 President Eisenhower envisioned grants-in-aid to states for training and special projects, but Congress failed to pass requested legislation in 1955, 1956 and 1957.

Until the end of the 1950s prevention programs were generally small-scale, highly fragmented and supported primarily through private funding. Private youth service agencies working with low paid, part-time staff and large numbers of volunteers carried the bulk of community-based prevention efforts. Funds were usually supplied by wealthy benefactors, locally organized charities, and private foundations. This picture changed radically in the 1960s. Beginning with the President's Committee on Juvenile Delinquency created by Executive Order 10940 in May 1961, the Federal government began to invest ever increasing funds for improving delinquency prevention practice.

The United States government's involvement grew to five agencies and 15 programs by 1965. By 1971 there were 16 Federal agencies administering 197 juvenile delinquency programs with annual expenditures of $11.5 billion. Statistics collected for the Fifth Analysis and Evaluation of Federal Juvenile Delinquency Prevention Programs showed that $4.34 billion was obligated for youth-related activities in 33 programs.

The President's Committee on Juvenile Delinquency and Youth Crime was a primary vehicle for expansion of the Federal effort. The Committee helped enact the Juvenile Delinquency and Youth Offenses Control Act of 1961 which was designed to demonstrate new methods of delinquency prevention and control. Over a three year period $19.2 million was appropriated for delinquency prevention programs. The most famous of these were the Mobilization for Youth (MFY) and the Harlem Youth Opportunities Unlimited (Haryou Act), both developed in New York City. The MFY received about $2 million a year; the Haryou Act received about $1 million a year; and 14 similar projects received over $7 million from the Federal government.

Perhaps the most striking feature of these new programs was their focus on changing the social conditions affecting the lives of inner-city youth. These programs stressed the importance of empowering the poor, as well as encouraging maximum community participation in the planning and execution of social welfare programs. Moreover, the MFY and Haryou Act programs assumed the necessity of conflict with established bureaucracies as part of their advocacy for the needs of youth. Despite intense resistance to these efforts in most cities, the basic models of MFY and the Haryou Act were incorporated into the community action component of the War on Poverty.

By 1967 when social scientists and practitioners reviewed theories of delinquency prevention for President Johnson's Crime Commission, the MFY and Haryou Act were basic to their thinking. The President's Crime Commission underscored the need for broad social reform to prevent delinquency. Further, the Commission articulated the need to encourage diversion from the justice system as a prevention approach. As a result, the Youth Service Bureau incorporated the joint objectives of diversion and advocacy on behalf of troubled youth.

Shortly after the report of the President's Crime Commission, Congress further expanded the Federal role in the delinquency field by enacting two major pieces of legislation in 1968; the Omnibus Crime Control and Safe Streets Act to be administered by the Department of Justice, and the Juvenile Delinquency Prevention and Control Act to be administered by HEW. Congress assigned to HEW the primary responsibility for national leadership in developing new approaches to the problems of juvenile crime and coordinating all governmental efforts in the area of juvenile delinquency. HEW was expected to help States and local communities strengthen their juvenile justice programs through broad-based assistance to courts, correctional systems, police agencies, law enforcement and other agencies which deal with children.

Congress hoped that placing this program in HEW would lead to a major commitment to finding solutions to the problem of juvenile crime. However, very few states looked to HEW for leadership in the delinquency prevention area. With a much larger appropriation, a more refined planning process and strong administration LEAA emerged as the dominant delinquency prevention agency.

In 1971, Congress passed a one year extension of the Juvenile Delinquency Prevention and Control Act of 1968. The Act was not supposed to be extended again unless HEW showed a marked improvement in its efforts to provide national leadership in dealing with the problems of juvenile delinquency. However, despite assumptions that HEW had not improved its performance, a two year extension with limited programming options was given in 1972. HEW was to fund preventive programs outside the traditional juvenile justice system, while LEAA was to combat delinquency within the juvenile justice system. HEW received $10 million per fiscal year during the extension period, but its role in delinquency prevention diminished as LEAA's role expanded. LEAA became involved in a sweeping range of juvenile delinquency and prevention programs. (In FY 70, 12 percent of the LEAA appropriation went towards juvenile delinquency programs. In FY 72 this figure rose to 21 percent.) Prevention efforts included alternative education programs, training programs for parents of delinquent children, drug education, police/juvenile relations programs and recreation programs. Primary prevention programs were negligible.

The Juvenile Justice and Delinquency Prevention Act of 1974

The Juvenile Justice and Delinquency Prevention Act of 1974 (The Act) established the Office of Juvenile Justice and Delinquency Prevention (OJJDP, The Office) within the Law Enforcement Assistance Administration. The Subcommittee to Investigate Juvenile Delinquency stressed the need for more coordination and less confusion. They felt that placing the program in HEW would only further fragment, divide, and submerge the Federal juvenile delinquency effort and delay the development of needed programs. Further, the Committee felt that since the serious juvenile offender merited more focus, LEAA was an appropriate managing agency since they provide substantial Federal assistance to the police, the courts, and the corrections agencies in their efforts to deal with juvenile crime.

The Office was to provide leadership and coordination for all of the juvenile programs scattered throughout the Federal government. A National Advisory Committee for Juvenile Justice and Delinquency Prevention was created to advise LEAA and representation on State and regional LEAA boards was broadened to assure input from knowledgeable and experienced persons and private agencies regarding juvenile delinquency prevention and control policies. The Act further provided for modified block grants to State and local governments and grants to public and private agencies to develop juvenile programs with special emphasis on the prevention of delinquency, diversion from the juvenile justice system, and community-based alternatives to traditional incarceration.

All of these thrusts were fashioned to stem the high incidence of juvenile crime and recidivism. Similarily, the Act provided that status offenders must not be placed in juvenile detention or correctional facilities and that juveniles should not be detained in any institution in which they have regular contact with adults.

To assure proper coordination of Federal effort, the 1974 act established a Coordinating Council on Juvenile Justice and Delinquency Prevention. While OJJDP was responsible for implementing overall policy and developing objectives and priorities for all Federal juvenile delinquency programs and activities, the Coordinating Council, composed of the heads of the major agencies concerned and chaired by the Attorney General, helps assure these objectives were met.

As evidenced by the title of the 1974 Act, prevention came to be looked upon as a viable strategy for forestalling anti-social behavior among adolescents and young adults. The specific provisions of the Act are contained in its stated "purpose," and include the following:

(1) to provide for the thorough the prompt evaluation of all Federally assisted juvenile delinquency programs;

(2) to provide technical assistance to private agencies, institutions, and individuals in developing and implementing juvenile delinquency programs;

(3) to establish training programs for persons, including professionals, paraprofessionals, and volunteers who work with delinquents or potential delinquents or whose work or activities relate to juvenile delinquency programs;

(4) to establish a centralized research effort on the problems of juvenile delinquency, including an information clearinghouse to disseminate the findings of such research and all data related to juvenile delinquency;

(5) to develop and encourage the implementation of national standards for the administration of juvenile justice, including recommendations for administrative, budgetary, and legislative action at the Federal, state and local level to facilitate the adoption of such standards.

(6) to assist states and local communities with resources to develop and implement programs to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions; and

(7) to establish a Federal assistance program to deal with the problems of runaway youth.

To accomplish these activities, the Act further states that:

> It is therefore the further declared policy of Congress to provide the necessary resources, leadership, and coordination (1) to develop and implement effective methods of preventing and reducing juvenile delinquency; (2) to develop and conduct effective programs to prevent delinquency, to divert juveniles

> from the traditional juvenile system and to provide critically needed alternatives to institutionalization; (3) to improve the quality of juvenile justice in the United States, and (4) to increase the capacity of state and local governments and public and private agencies to conduct effective juvenile justice and delinquency prevention and rehabilitation programs and to provide research, evaluation, and training services in the field of juvenile delinquency prevention.

Although the Act clearly emphasizes the importance of prevention in forestalling and controlling the onset and persistence of delinquency, it does not at any time provide a definition of prevention. In fact, nowhere in the separate legislative bills, the debate record, the committee and Conference Committee reports, or the 1977 amendments is prevention clearly defined.

A review of the Congressional debate on the 1974 Act reveals a deep concern among legislators for the problems of juvenile delinquency. The prevention of delinquency stands out as the single most important concern. A number of Federal legislators recognized the broad social issues involved in delinquency causation and some identified those issues. Nowhere, however, does a comprehensive definition of the concept of prevention emerge.

Representative Hawkins, the floor manager of the Bill in the House, noted:

> [P]rograms to be truly preventative must deal with the strengths of the youths and those of their families and the communities in which they live. (CR-H, July 1, 1974, P.H6049)

The co-manager of the Act in the House, Representative Steiger, stated:

> [I]n order to accomplish anything through prevention the factors that cause delinquency must be addressed. (CR-H, July 1, 1974, p. H6050)

The speech that most directly addresses the nature of delinquency prevention is that of Representative Chisholm who argued for the need to support community-based groups to do advocacy and counseling. She specifically identified the school as a key social institution in creating problems of delinquency through "pushing out" students:

> [T]he push out is the student who through discriminatory treatment and arbitrary actions of school authorities is excluded from school, or else is so alienated by the hostility of his or her school environment that he or she leaves school. CR-H, July 1, 1974, p. H6057)

The legislation completely left open the direction of Federal policy in the prevention field. While some sections of the 1974 Act as well as the 1977 amendments offer listings of "advanced techniques," including a wide range of youth services, these diverse services were not integrated into a cohesive strategy of delinquency prevention.

IV. Delinquency Prevention Activities by OJJDP

Strategy Development and Evolution

In the 1974 legislation, the office was divided into several major components, each one charged with specific responsibilities in the area of delinquency prevention. NIJJDP faced the task of developing a body of knowledge regarding the causes and correlates of delinquent behavior, knowledge which could be translated into promising strategies. The Special Emphasis Division was to develop action programs which would help the states and local public and private agencies develop and implement successful prevention programs. The Office was required to offer expert technical assistance both to Special Emphasis prevention programs and to the states receiving OJJDP funds through the Formula Grant program.

At this time, the state-of-the-art in delinquency prevention offered a diverse array of theories and strategies, ranging from psychological theories to social disorganization theories. The immense body of information on causes and correlates of delinquency had not been synthesized to the point that OJJDP could adopt an Office-wide policy and strategy as a base for legislatively-mandated delinquency prevention responsibilities.

One of the first tasks of NIJJDP, therefore, was to develop a better understanding of the factors related to juvenile delinquency. Their studies would provide the evidence crucial for guiding future successful prevention programs.

Therefore in 1975, NIJJDP sponsored a nationwide assessment of delinquency prevention approaches and theories entitled Prevention of Juvenile Delinquency. They studied programs which had evaluation designs that would yield data on project impact.

At the same time, a plan for delivery of technical assistance in the area of delinquency prevention was being formulated by OJJDP. Although NIJJDP-generated knowledge was not yet available, the technical assistance staff prepared a request for proposals to provide technical assistance to promising prevention activities. In 1977, the Office awarded the first delinquency prevention technical assistance (TA) contract.

During this same period the Special Emphasis Division (SED) was charged with the task of developing and implementing a national delinquency prevention program. In the fall of 1977, SED awarded sixteen grants to private not for profit agencies to develop delinquency prevention programs, at a cost of over $20 million. Funded agencies were to develop and implement new prevention techniques in communities where youth were perceived to be in the greatest danger of becoming delinquent. The projects were, of necessity, exploratory in nature as the program had to be developed prior to availability of assistance from NIJJDP and TA assessments. The national program supported such strategies as direct services, community development, and improved delivery of services to youth. Both the program guidance and the definition of delinquency prevention offered by this Initiative lacked clarity. The definition presented was as follows:

> Prevention is the sum total of activities which create a constructive environment designed to promote positive patterns of youth development and growth. The process includes direct services to youth and indirect activities which address community and institutional conditions that hinder positive youth development and lead to youth's involvement with the juvenile justice system.

This first national program generated a good deal of criticism regarding OJJDP's prevention efforts. The National Evaluation Final Report summarized some of the difficulties which had hampered positive results.

> Federal program planners had faced a difficult task in drafting clear and precise guidelines for delinquency prevention programs. OJJDP's national prevention program must be placed within a context of an ambiguous history of prevention efforts, ill-defined Federal policy, and competing claims about virtually all theoretical and practical aspects of prevention programming.

In 1977, at the same time of the award of the TA contract, NIJJDP had awarded a grant to the University of Washington as part of its Assessment Center Program. The purpose of this Center was to collect, assess, synthesize and disseminate information on delinquent behavior and its prevention. Its major objectives were to

- identify and describe promising programmatic approaches for practitioners, OJJDP and others;
- synthesize data and the results of studies;
- provide information for use in OJJDP planning and design of action programs; and
- provide a base for training.

Because the Washington Assessment Center had not finished its compilation, the TA contractor, in fulfilling its obligation to provide technical assistance based on the most promising strategies, undertook a review of the state-of-the-art of delinquency prevention. A review of the literature and evaluations of prevention programs conducted over the last 25 years was complemented by assistance and guidance of the Washington State Assessment Center. The result was a monograph published in 1979 entitled Delinquency Prevention: Theories and Strategies, which became the guidance for OJJDP's delinquency prevention technical assistance programs and the State Initiatives Program.

During the late 1970's, NIJJDP sponsored other studies which added to the state-of-the-art knowledge regarding delinquency prevention. These included the following:

- The Dynamics of Delinquency and Drug Use
- Youth Gang Violence
- Use of Victimization Survey Data to Assess the Nature, Extent and Correlates of Serious Delinquent Behavior
- Delinquency in American Society
- Learning Disabilities and Juvenile Delinquency
- High Risk Early School Behavior for Later Delinquency
- Transition to Junior High and the Deviance Process
- Law Related Education

In 1980 OJJDP made its first attempts to systematically develop programs that tested assumptions and strategies related to delinquency prevention through the Delinquency Prevention Research and Development Project. This initiative was designed to test promising strategies for preventing delinquency. It consists of two parts:

- A comprehensive project in one site, which addresses the most important units of a young person's socialization--families, schools and peers--as they influence youthful behavior sequentially throughout the social development process; and

- The School Enhancement Projects, which consist of a test in six communities of the school-based strategies identified thorugh the Westinghouse Technical Assistance Program which are consistent with the Social Development model being tested in the comprehensive site.

The Delinquency Prevention Research and Development Project was developed jointly by the Technical Assistance Division and by NIJJDP with the assistance of Westinghouse and the Assessment Center. Because of its potential for guidelines for implementation and rigorous evaluation design, it can yield important results about the impact of selected strategies on delinquency behavior.

Two other prevention programs were implemented in 1980 that were consistent with the theoretical assumptions embodied in the program described above:

- Alternative Education - Preventing delinquency through the development of alternative education options for youth whose educational and social development needs are not being met in traditional classroom settings.

- Youth Advocacy - Preventing delinquency through school enhancement activities (13 of OJJDP's 22 youth advocacy projects).

The latter programs, however, were not strict research and development programs, and thus did not have the same potential for evaluation. Between 1980 and 1982, several working papers were produced to assist states and communities to develop prevention programs relative to schools, employment and communities. In addition, the State Initiatives Program was established to:

- Transfer clear, concise information on the most promising developments in delinquency prevention theory and practice; and
- Improve and strengthen the capacity of state and local organizations to support sound delinquency prevention programs.

This initiative, worked with State officials and agencies as well as with local youth-serving agencies in 24 States to foster a variety of successful developmental patterns for the State and local prevention efforts. Some of these efforts have been documented in Five Case Studies of State Prevention Approaches: Colorado, Connecticut, Maine, New Mexico and Wisconsin.

The Coordinating Council established in the original Act, began to play an increasingly significant role in the 1980's. OJJDP, with the assistance of the Council, began to analyze delinquency prevention programs and resources in other Federal agencies to assess their relationship to OJJDP's conceptual framework and programs. Both the Council and OJJDP hoped that this process would lead to a common Federal delinquency prevention policy and to the joint funding of local demonstrations programs. By providing staff resources for the Council, OJJDP was able to initiate efforts that would eventually lead to the development of a program plan for the Coordinating Council. The program plan attempts to coordinate Federal activities relative to delinquency prevention.

In 1981, NIJJDP issued the first major Washington State Assessment Center findings on the most promising strategies for preventing juvenile delinquency. This document described a "Social Development Model" which provided the basis for the delinquency prevention research and development work. Since that time, the Assessment Center has issued numerous publications which further describe and refine delinquency prevention strategies in terms of social development.

This model also served as the basis for the development of a delinquency prevention program targeting serious juvenile offenders. Planning for this initiative was meticulous. It was designed as a research and development program, incorporating an impact evaluation design. This program was ready for implementation by the end of 1982.

By the end of 1982 considerable progress had been made in the development of the state-of-the-art in delinquency prevention. A conceptual framework for delinquency prevention programming had been adopted by NIJJDP, the Technical Assistance Branch and the Special Emphasis Division. Although the framework was commonly shared by these Office Divisions, it was never formally adopted as OJJDP policy. The framework is evident, however, in OJJDP's delinquency prevention programs developed since 1980, in acceptance of certain elements of the growing body of knowledge regarding the causes and correlates of juvenile delinquency and the translation of this knowledge into OJJDP prevention strategies.

From 1975 through 1982, OJJDP spent approximately $62 million to support delinquency prevention. (See Chart - Table IV) A note of caution is necessary in reference to these expenditure. Many of the programs that have been included were not targeted at delinquency prevention, but did

TABLE I

OJJDP

PAST EXPENDITURES FOR DELINQUENCY PREVENTION ACTIVITIES 1975-1982 BY FUNDING TYPE

YEARS	SPECIAL EMPHASIS	NATIONAL INSTITUTE	TECHNICAL ASSISTANCE	CFE	LEAA		TOTAL
					DISCRETIONARY	BLOCK	
1975		388,922			480,967		869,889
1976	6,737,690	724,126			251,322	149,951	7,863,089
1977	9,001,483	1,286,597		153,450	204,230	965,457	11,611,217
1978	10,899,064	2,157,706		445,932			13,502,702
1979	9,200,045	1,136,094			500,000		10,836,139
1980	8,260,049	449,182	1,105,000	250,000			10,064,231
1981	5,216,128	749,861	639,342				6,605,331
1982	55,000	647,396	49,976				752,372
TOTAL	49,369,459	7,539,884	1,794,318	849,382	1,436,519	1,115,408	62,104,970

include elements that have been determined to be consistent with the "conceptual framework" promoted by OJJDP. Second, the amounts included for the formula grant program are only estimates; it is not known if such programs, although described by the States as prevention efforts, would be defined as prevention if assessed relative to OJJDP's definition.

Current OJJDP Delinquency Prevention Activities

OJJDP is continuing its commitment to develop knowledge and strategies in delinquency prevention. The Office has moved away from support of action programs and is concentrating on basic and applied research; demonstration programs; training/technical assistance; and coordination of Federal delinquency prevention efforts. The experiences and the knowledge gained through research and evaluation have enabled the Office to fulfill its leadership role--directing the Federal juvenile delinquency effort, developing information for practitioners, and testing new strategies. An agency which assumes responsibility for leadership in the field of juvenile delinquency cannot exert that leadership in a manner which is productive unless it can provide answers to questions regarding what works and the direction in which the field should be moving.

In 1982, with the assistance of OJJDP, the Federal Coordinating Council adopted its first program plan. It is a significant attempt to assess and synthesize information relative to the myriad of Federal programs and policies that have an impact on juvenile delinquency. Council members have agreed that there are duplications of effort, gaps in activities, and problems associated with dissemination of useful program information to States. Implmentation of this plan is expected to begin in 1983. Other delinquency prevention efforts are currently receiving OJJDP support.

NIJJDP

Two major accomplishments of NIJJDP are the program development and evaluation of the Delinquency Prevention Research and Demonstration Project and the Serious Violent Offender Project Part II. These are described elsewhere in this paper. Other efforts are noted here.

Law Related Education (LRE) projects continue to receive support. LRE is a school/community targeted approach to the prevention and deterrence of delinquency. LRE is defined by Congress as "education about the law, the legal process and legal system, and the fundamental principles and values on which these are based." Its purpose is to enable youth to become more informed, effective and responsible participants in society.

NIJJDP is also supporting an evaluation of the School Crime Reduction Program which was started by the Special Emphasis Division in 1976. The program has been a cooperative venture between OJJDP and the Department of Education. The evaluation is assessing the effect of selected interventions and school practices on the incidence of school crime.

NIJJDP has been studying the link between juvenile delinquency and learning disabilities since 1976. The major hypothesis of the LD efforts is that learning disabilities can cause school failure which, in turn, can lead to juvenile delinquency. NIJJDP's work in this area represents a complete cycle of initial state-of-the-art assessment, research-based program development, implementation and testing, and the application of results in training and program replication. Initial results of this process have shown that learning disabilities have a direct positive effect on delinquency. The results of these studies have been applied to the learning disabilities component of the Project New Pride Replication.

Additional studies presently supported by NIJJDP are:

- High Risk and Early School Behavior and Later Delinquency
- Choice of Non-delinquent and Delinquent Careers Among Puerto Rican Dropouts
- School Discipline and Justice System Involvement
- Transition to Junior High and the Deviance Process.

Formula Grants and Technical Assistance Division

The Formula Grants and Technical Assistance Division has developed a technical assistance strategy which incorporates research findings, evaluation results and practical application strategies. Delinquency prevention technical assistance is targeted; its purpose is to assist state and local governments in the systematic formulation of strategies and program development which is based on the most promising theories of delinquency causation.

The elements of the TA prevention program are:

- Development of implementation strategies for the Delinquency Prevention Research and Development Program. TA staff and the Westinghouse National Issues Center participated with NIJJDP to develop and implement this experimental program in 1980. Through the life of the six local projects, the TA branch has managed these projects and delivered intensive technical assistance.

- Direction and assistance to the States, through the State Initiatives Program and to state and local prevention programs identified through OJJDP's technical assistance request process. Assistance has been given via publications on prevention theories and strategies, working papers on school, community and employment prevention strategies, and on-site technical assistance.

The Formula Grants Branch of FGTAD developed and implemented the Foster Grandparents/Delinquency Prevention Program, which culminated in three interagency agreements between OJJDP and ACTION. Cooperative Foster Grandparents programs were implemented in Louisiana, Georgia and Washington State. This program gives foster grandparents and retired senior volunteers the opportunity to serve as role models for young people, reinforcing law-abiding behavior and providing guidance and companionship to juvenile offenders and non-offenders. The program is intended to result in the development of stronger social bonds in juveniles and their families.

Special Emphasis Division

OJJDP has awarded funds to eight cities that will implement OJJDP's "Violent Offender, Part II" Initiative. This program has been designed to test strategies for preventing and reducing juvenile crime through community organization. The program's primary objective is to test the concept that neighborhood-based organizations can mobilize neighborhood residents to improve the effectiveness of institutions responsible for the socialization and control of youth, reduce the opportunities for commission of juvenile crime, and increase legitimate opportunities for youth to become productive members of their community. Special attention is being directed at the families of violence-prone youth. The evaluation of this program which is being supported by NIJJDP, calls for measuring the impact of the interventions at six month intervals. Data analysis will attempt to determine which youth engage in violent behavior despite apparent positive social development, and which youth are able to avoid delinquency and violent crime despite problems assosciated with residence in high-crime neighborhoods.

Concentration of Federal Efforts

A major priority for the Concentration of Federal Effort is the implementation of the Federal Coordinating Council program plan which would facilitate the coordination of Federal delinquency prevention programs. As stated previously, coordination is only one aspect of this plan. The Council is also planning to disseminate the wealth of information that has been developed by the various agencies in the Federal government. The Council is exploring ways to synthesize this information, formatting it so that it is most useful to its target audiences, and provide a way to make it accessible to the public.

In 1982 a cooperative agreement was signed between OJJDP and the National School Boards Association which will enable the NSBA to synthesize Federal school-based prevention strategies and publish of this information in a manner useful to school board members and other school leaders throughout the nation. This resource document will be published in 1984.

V. Federal Role in Delinquency Prevention

Rationale for Federal Role in Delinquency Prevention

As discussed in the historical review, the private sector played a major role in delinquency prevention activities prior to the early 60s. However, a rising youth crime rate called into question the ability or the willingness of local communities to combat delinquency (and provide other social service needs) and brought the Federal government into the field of delinquency prevention. New federal policies were justified by reference to opportunity theory, which assumed that delinquency might be prevented or diminished by removing impediments to upward mobility. The Federal commitment to delinquency was crystallized by the Juvenile Justice and Delinquency Prevention Act of 1974. Unfortunately the 1974 legislation and subsequent amendments have not clarified the scope and nature of prevention activities.

Today, the Federal role in delinquency prevention is one of leadership and coordination. A purely "Federal solution" to the juvenile delinquency problem is no longer feasible. The large extravagant delinquency prevention programs of the past have been or need to be replaced with mechanisms and procedures that encourage states, localities, and private organizations to adapt proven, effective programs and systems. The Federal government's role is to coordinate, as originally planned, the resources of the multitude of Federal agencies with responsibility for youth programming related to delinquency prevention and to carry out research that demonstrates effective processes for preventing delinquency.

The Role of Other Federal Agencies in Delinquency Prevention

Congress created the Coordinating Council on Juvenile Justice and Delinquency Prevention to facilitate the coordination of delinquency-related programs. Given the Administration's direction to consolidate and maximize the use of Federal monies for human service programs, the need for the mandated coordination has never been greater. To provide an overview of the complexity of such task, a brief summary of involvement by other Federal agencies in delinquency programs follows.

The programs discussed are classified as "delinquency-related" and not delinquency prevention, per se, since Federal agencies other than OJJDP use different categories for their youth service programs. For example, in 1980 the Fifth Analysis and Evaluation of Federal Juvenile Delinquency Programs reported that:

- Of the 45 programs studied, only 9 (20 percent) have the reduction or prevention of delinquency explicitly stated in their legislation. Five others refer to juvenile delinquency in their regulations, guidelines, or other official documents. These 14 programs are administered by six cabinet-level departments and one independent agency.

- Only five programs outside of OJJDP indicated any significant involvement in efforts to deinstitutionalize status offenders and dependent and neglected youth, a specific mandate contained in the JJDP Act. Those programs involved in deinstitutionalization indicated that a major obstacle to success has been the scarcity of alternative direct service programs at the community level.

- Nine Federal programs reported spending approximately $225 million on institutional services for youth, or less than 5 percent of the total amount expended on services to youth by the 45 programs.

In the period of 1981-1982, twenty of the 45 programs discussed in the Fifth Analysis and Evaluation were included in the nine block grants created under the Omnibus Budget Reconciliation Act of 1981 (P.L.97-35). The budget for these programs was reduced by $3 billion, a reduction of approximately 22 percent between FY 1981 and FY 1982. Twenty programs had their budgets reduced. Although total appropriations were reduced from $13.5 billion in FY 1981 to $10.5 billion in FY 1982, nine programs received increased allocations and one remained the same. (See Table II).

Of the twenty delinquency-related programs placed in block grants, six were education programs, and six were programs in the areas of alcohol, drug abuse, or mental health. The Social Services Block Grant, the Child Welfare Services Block Grant, the Maternal and Child Health Block Grant, and the Community Services Block Grant each absorbed one delinquency-related program. In addition, the Jobs Training Partnership Act (JTPA), the successor to the Comprehensive Employment and Training Act, absorbed four programs. The JTPA does not become effective until the beginning of FY 1984.

Four programs were eliminated in 1981. They were:

- 10.661--Youth Conservation Corps--Grants to States;
- 10.663--Youth Adult Conservation Corps--Grants to States;
- Urban Inititives Anti-Crime Program; and
- Urban Crime Prevention.

Table III summarizes the FY 1982 status of Federal delinquency-related programs. In addition to listing the programs the table indicates whether these retained their categorical status or were included in block grants.

[illegible]

Fiscal 1981-1983 Program and Budget Changes, Delinquency-Related Programs

FEDERAL CAT. NO.	PROGRAM	PROPOSED STATUS	FY LEVEL APPROPRIATIONS		NOTES
		FY 83	82	81	
ACTION					
72.001	The Foster Grandparent Program	46.4m	46.4m	46.9m	• Continuing Resolution
DEPARTMENT OF AGRICULTURE					
10.061	Youth Conservation Corps--Grants to States	0	0	10m	• No funds appropriated for FY 82, 83, or 84
10.081	Cooperative Extension Service 4-H	63.9m	315.7m	303.7m	
10.063	Young Adult Conservation Corps--Grants to States	0	0	200m	• Eliminated in 1981 • Portion of FY 81 funds deferred to FY 82 for scheduled phaseout • Phaseout by 9/30/82
DEPARTMENT OF EDUCATION					
84.003	Alcohol and Drug Abuse Education Program	*2.9m	2.9m	2.9m	• Authorized for inclusion in the Education Consolidation and Improvement Act of 1981, Chapter II. * Reflects continuing resolution of FY 82 level. Program requests 2.0m of Discretionary funds for FY 83
	Education For All Handicapped Children Act of 1975 (P.L.94-142)	0	931m	874m	• The House Education and Labor Committee voted unanimously in favor of Bill (H.J. Res. 570), which called on the full Congress to veto the proposed new regulations for P.L. 94-142. * Continuing Resolutions funds at current (FY 82) operating level.

Table II (Cont'd)

FEDERAL CAT. NO.	PROGRAM	PROPOSED STATUS	FY LEVEL APPROPRIATIONS		NOTES
		FY 83	82	81	
DEPARTMENT OF EDUCATION - CONT'T					
84.010	Educationally Deprived Children--Local Educational Agencies	2.6b	2.6b	2.5b	
84.011	Educationally Deprived Children, Migrants--Basic State Formula Grant	256m	256m	266m	
84.013	Educationally Deprived Children in State Administered Institutions Serving Neglected or Delinquent Children	32.6m	32.6m	33.9m	
84.047	Upward Bound	24.0m	63.0m	66.5m	
84.048	Vocational Education-Basic Grants to States	*500m	496.0m	518m	* In the FY 83 proposal both the Vocational Education and Adult Education Programs will be folded into a block grant. (The amount reflects both programs)
84.096	Emergency School Aid Act--Basic Grants to Local Educational Agencies	*	*	33.4m	• Terminated 6/30/82 * Program authorized for inclusion in the Education and Improvement Program, Chapter 2
84.057	Emergency School Aid Act--Grants to Non-Profit Organizations	*	*	5m	* Program authorized for inclusion in the Education and Improvement Act Program, Chapter 2
84.060	Indian Education-Grants to Local Educational Agencies (Part A-Title IV)	32.2m	50.4m	53.5m	• Requested a recision for FY 82 of 46.2m
84.061	Indian Education--Special Programs and Projects for Indian Students (Part B Title IV)	9.6m	14.9m	14.5m	• No legislative changes

Table II (Cont'd)

FEDERAL CAT. NO.	PROGRAM	PROPOSED STATUS FY 83	FY LEVEL APPROPRIATIONS 82	81	NOTES
DEPARTMENT OF EDUCATION - CON'T					
84.072	Indian Education--Grants to Non-local Educational Agencies (Part of Part A Title IV)	3.2m	4.5m	4.7m	• No legislative changes
84.088	Instructional Materials and School Library Resources	*	*	161m	* Program authorized for inclusion in the Education and Improvement Act Program, Chapter 2
84.089	Improvement in Local Educational Practice	*	*	66m	* Program authorized for inclusion in the Education and Improvement Act Program, Chapter 2
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
---	Office of Domestic Violence Program	0	0	0	• Closed 1/81 • Transferred to NCCAN (Nat'l Center for Child Abuse and Neglect)
13.235	Drug Abuse Community Service Programs	ADMH Blk Grnt	ADMH	153m	• 432m Total Alcohol Drug Abuse and Mental Health Block Grant (ADMH) Appropriation for FY 82
13.252	Alcoholism Treatment, and Rehabilitation/ Occupational Alcoholism Service Programs	ADMH Blk Grnt	ADMH	5m	
13.254	Drug Abuse Demonstration Programs	ADMH Blk Grnt	ADMH	0	• Last year funded FY 80, at 2.4m • Block granted in FY 81
13.257	Alcohol Formula Grants	ADMH Blk Grnt	ADMH	20m	

FEDERAL CAT. NO.	PROGRAM	PROPOSED STATUS FY 83	FY LEVEL APPROPRIATIONS 82	81	NOTES
DEPARTMENT OF HEALTH AND HUMAN SERVICES - CON'T					
13.275	Drug Abuse Prevention/Education Programs	ADMH Blk Grnt	ADMH	16.1m	
13.295	Community Mental Health Centers--Comprehensive Services Support	ADMH Blk Grnt	ADMH	213	
13.623	Administration for Children, Youth, and Families--Runaway Youth	*10m	10.5m	11m	* New proposed funds in FY 83 to be used to fund 25 new programs in unserved communities
13.628	Child Abuse and Neglect Prevention and Treatment	17m	17m	22.9m	• Out of the 17m for FY 83 allocation, 6.7m is to be given to States for Grant programs
13.640	Administration for Children, Youth, and Families--Youth Research and Demonstration	*	1.4m	1.2m	* HDS discretionary funds; specific amount unavailable
13.642	Social Services for Low Income and Public Assistance Recipients	*2.4b	2.4b	2.9b	* Continuing Resolution funding at current operating level of FY 82 • Consolidated into Social Services Block Grant
13.645	Child Welfare Services--State Grants (IV-B)	*	156.5m	173m	• Consolidated into Child Welfare Block Grant • Child welfare services, adoption assistance, and foster care would be repealed as Federal programs under the President's New Federalism plan
13.652	Administration for Children, Youth, and Families-Adoption Opportunities (IV-E)	*1.9m	2m	4m	• See above * Open-ended entitlement funding under continuing Resolution provision

FEDERAL CAT. NO.	PROGRAM	PROPOSED STATUS FY 83	FY LEVEL APPROPRIATIONS 82	81	NOTES
DEPARTMENT OF HEALTH AND HUMAN SERVICES - CON'T					
13.975	Adolescent Pregnancy Prevention and Services	MCH Block Grant	BG*	8.2m	• Consolidated into Maternal and Child Health Services Block Grant (Total funding 373m)
49.002	Community Action	Block Grant	BG	394m	• Phased out in 81; formerly under the Community Services Administration • Community Services block granted in 1982
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
---	Urban Initiatives Anti-Crime Program	0	0	1.1m	• One time funding effective July, 1980 through September, 1982 • Same as Department of Justice Urban Crime Prevention (16.537)
DEPARTMENT OF INTERIOR					
15.103	Indian Social Services—Child Welfare Assistance	14.3m	13.6m	11.5m	• FY 82 funding includes 2.1m supplemental add-on from other programs
15.144	Indian Child Welfare Act—Title II Grants	7.7m	9.6m	9.3m	
15.130	Indian Education—Assistance to Schools (The Johnson O'Malley Act)	25.9m	25.9m	29.5m	
DEPARTMENT OF JUSTICE					
16.516	Juvenile Justice and Delinquency Prevention--Formula Grants	0	43m	63.7m	• The administration has made no request but Congress is expected to vote some money for the program in FY 83
16.517	Juvenile Justice and Delinquency Prevention--Special Emphasis	0	14m	21m	

FEDERAL CAT. NO.	PROGRAM	PROPOSED STATUS FY 83	FY LEVEL APPROPRIATIONS 82	81	NOTES

DEPARTMENT OF JUSTICE - CON'T

FEDERAL CAT. NO.	PROGRAM	PROPOSED STATUS FY 83	FY LEVEL APPROPRIATIONS 82	81	NOTES
	National Institute Juvenile Justice and Delinquency Prevention	7.4m	7.4m	10.9m	
16.537	Urban Crime Prevention	*	*	*	* See HUD Urban Initiatives Anti-Crime Program

DEPARTMENT OF LABOR

FEDERAL CAT. NO.	PROGRAM	PROPOSED STATUS FY 83	FY LEVEL APPROPRIATIONS 82	81	NOTES
17.211	Job Corps	618m	585m	561m	• Consolidated into Part B Job Training Partnership Act
17.232	CETA-Titles II, B, C	*	1.1b	2.1b	* These programs have been combined with all other Federal employment and training programs into the Job Training Partnership Act * Estimated FY 83 cost 3.86 billion * 40% of funds must be spent on training persons 16-21
17.232	CETA-Title IV--SYEP	*	640m	839m	• Same as above
17.232	CETA-Title IV--YETP, YCCIP, and YIEP	*	576m	875m	• Same as above
17.234	Employment and Training--Indians and Native Americans	*	670m	725m	• Separate dollar figure never submitted for Indians and Native Americans

FEDERAL CAT. NO.	PROGRAM	BLOCK GRANT	RETAINED CATAGORICAL STATUS	PHASED OUT
72.001	The Foster Grandparent Program		X	
10.661	Youth Conservation Corps-Grants to States			X
10.881	Cooperative Extension Service 4-H		X	
10.663	Young Adult Conservation Corps-Grants to States			X
84.008	Alcohol and Drug Abuse Education Program			X
84.010	Educationally Deprived Children-Local Educational Agencies	X		
84.011	Educationally Deprived Children, Migrants-Basic State Formula Grant		X	
---	Education For All Handicapped Children Act of 1975 (P.L. 94-142)		X	
84.013	Educationally Deprived Children in State Administered Institutions Serving Neglected or Delinquent Children		X	
84.047	Upward Bound		X	
84.048	Vocational Education-Basic Grants to States	X		
84.056	Emergency School Aid Act-Basic Grants to Local Educational Agencies	X		
84.057	Emergency School Aid Act-Grants to Non-Profit Organizations	X		

FEDERAL CAT. NO.	PROGRAM	BLOCK GRANT	RETAINED CATAGORICAL STATUS	PHASED OUT
84.060	Indian Education-Grants to Local Educational Agencies (Part A-Title IV)		X	
84.061	Indian Education-Special Programs and Projects		X	
84.072	Indian Education-Grants to Non-local Educational Agencies		X	
84.088	Instructional Materials and School Library Resources	X		
84.089	Improvement in Local Educational Practice	X		
---	Office of Domestic Violence Program			X
13.235	Drug Abuse Community Service Programs	X		
13.252	Alcoholism Treatment, and Rehabilitation/ Occupational Alcoholism Service Programs	X		
13.254	Drug Abuse Demonstration Programs	X		
13.257	Alcohol Formula Grants	X		
13.275	Drug Abuse Prevention/Education Programs	X		
13.295	Community Mental Health Centers-Comprehensive Services Support	X		
13.623	Administration for Children, Youth, and Families-Runaway Youth		X	
13.628	Child Abuse and Neglect Prevention and Treatment		X	

FEDERAL CAT. NO.	PROGRAM	BLOCK GRANT	RETAINED CATAGORICAL STATUS	PHASED OUT
13.640	Administration for Children, Youth, and Families-Youth Research and Demonstration		X	
13.642	Social Services for Low Income and Public Assistance Recipients	X		
13.645	Child Welfare Services-State Grants	X		
13.652	Administration for Children, Youth, and Families-Adoption Opportunities		X	
13.975	Adolescent Pregnancy Prevention and Services	X		
49.002	Community Action	X		
---	Urban Initiatives Anti-Crime Program			X
15.103	Indian Social Services-Child Welfare Assistance		X	
15.144	Indian Child Welfare Act-Title II Grants		X	
15.130	Indian Education-Assistance to Schools (Johnson O'Malley Act)		X	
16.516	Juvenile Justice and Delinquency Prevention-Formula Grants		X	
16.517	Juvenile Justice and Delinquency Prevention-Special Emphasis		X	
16.537	Urban Crime Prevention			X
17.211	Job Corps	X		

FEDERAL CAT. NO.	PROGRAM	BLOCK GRANT	RETAINED CATAGORICAL STATUS	PHASED OUT
17.232	CETA-Titles II, B, C	X		
17.232	CETA-Title IV-SYEP	X		
17.232	CETA-Title IV-YETP, YCCIP, and YIEP	X		
17.234	Employment and Training-Indians and Native Americans		X	

VI. Delinquency Prevention and the Standards promulgated by the National Advisory Committee for Juvenile Justice and Delinquency Prevention

In accordance with provisions of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, the National Advisory Committee for Juvenile Justice and Delinquency Prevention (NAC) issued standards in 1980 relative to the administration of juvenile justice. Chapter 1 of that report, entitled "The Prevention Function," discusses and makes recommendations in areas such as prevention strategies, program administration, and responsibilities of three levels of government - Federal, State and local - relative to the prevention of juvenile deliquency.

For purposes of the 1980 Standards report, the NAC adopted the following definition of delinquency prevention:

> A process and the activities resulting from that process directed at encouraging law-abiding conduct and reducing the incidence of criminal activity of all youth under eighteen years of age except those who are receiving services on other than a voluntary basis as a result of contact with the juvenile justice system.

A document prepared for NIJJDP by the American Justice Institute in 1981, entitled A Comparative Analysis of Juvenile Justice Standards, states that there are two primary policy considerations attendant to this definition:

- It views delinquency prevention in the context of an overall process of planning, coordination, service delivery and evaluation; and
- It restricts consideration of social service programs to those where the services are provided on a voluntary, noncoercive basis.

The NAC standards place substantial emphasis on delinquency prevention; its commentary and recommendations are organized around the following framework;

- Theoretical focal points - the individual, social institutions and social interaction.
- Type of prevention - corrective, mechanical and redefinition.
- Areas of emphasis - family, health, eduction, employment, recreation, religion, the justice system, housing and the media.

The NAC standards were developed with the recognition that the state-of-the-art for delinquency prevention is less well developed than for other juvenile justice areas. The NAC, therefore, took great care in articulating its views on the proper framework and procedure for formulating prevention strategies and emphasized the need for carefully designed experimentation to enhance knowledge on the effectiveness of particular types of programs. The NAC process and framework assign various reponsibilities to Federal, State, and local levels of government.

Federal Government

The NAC emphasizes that the Federal agency most responsible for juvenile justice and delinquency prevention should plan, organize and coordinate all related Federal services/programs and coordinate all federal direct support funds. Although the NAC stipulates that leadership and direction should come from the Federal government, it recognizes that most decisions regarding allocation of Federal funds are made at the state and local levels. Thus, the NAC recommends an integrated Federal/State/local approach.

The Federal responsibilities involve providing "leadership to facilitate efforts of the intergovernmental structures at the State and local level." The Federal government, according to the NAC, should develop criteria for defining the characteristics of juvenile delinquency and its prevention. Utilizing these criteria, the Federal government should identify the relevant Federal agencies, analyze programs and policies, and develop a comprehensive plan for expenditure of Federal prevention funds. The NAC standards are very explicit in describing what the NAC believes to be the critical elements of this leadership role:

> One of the most critical roles of the federal agency would be provision of support for research and evaluation . . . (so that) programs can be designed which are based on theory and knowledge that have been strenuously tested and reviewed by independent researchers and practitioners....There should also be methods and procedures for training based on the findings of the research and evaluation efforts as well as methods for the dissemination of information to the general public.

Specific examples of Federal government activities that fulfill its leadership role are numerous, and include:

- Setting Federal policy and priorities;
- Removing obstacles to implementation of programs at the State and local levels;
- Advancing the state of knowledge in juvenile justice and delinquency prevention through standards, research, training, technical assistance, monitoring and evaluation;

- Initiating and maintaining coordination among all Federal programs related to juvenile justice and delinquency prevention;
- Improving information dissemination capabilities relative to theories, successful programs and improved methods of program development and administration;
- Allocating of Federal funds for State and local efforts;
- Monitoring and evaluating all levels of program development.

As stated in the NAC report, "It is the view of the National Advisory Committee that the Federal Government can best assist in improving juvenile justice and delinquency prevention by concerning itself less with the direct provision of services and more with the development of an organizational process at the State and local level and the provision of necessary financial and other resources."

The NAC suggests that the decisionmaking responsibilities be assigned to the local community and that the State agency assist the local communities in the "initiation, maintenance and evaluation of their planning and coordination responsibilities" . . . "giving considerable latitude" . . . "to the local authorities to fulfill their responsibilities in accordance with their needs and resources and established standards and guidelines."

The NAC's recommendation for the proper organizational structure for local prevention efforts is as follows:

> The local community, in conjunction with the state agency described in Standard 1.121, should develop a juvenile justice and delinquency prevention planning and coordinating authority. The planning authority should be responsible for identifying and assessing all of the local juvenile service needs and should process the capability for developing strategies to meet those needs according to established state standards and guidelines.

The NAC's view on the state's role in delinquency prevention is outlined in its Standard 1.121, which states that:

> The state government should establish an executive agency for juvenile justice and delinquency prevention with the responsibility for leadership and coordination of the local and state juvenile justice system. The state agency should be empowered to:
>
> a. Plan, coordinate and facilitate the implementation of all state juvenile justice services related to juvenile justice and delinquency prevention;
>
> b. Assist local agencies upon request to perform such services;
>
> c. Monitor all services provided directly by the state; and
>
> d. Advocate for the development of supplemental services as necessary at the state and local levels.

VII. State and Local Role in Delinquency Prevention

As already noted, delinquency prevention programming was until the early 1960's the primary responsibility of the private sector. As youth crime started to increase not only did the Federal government become more involved but so did the State and local governments. Today, delinquency efforts aimed at prevention, as well as at treatment and control, are the primary responsibility of State and local government. The private sector and Federal government, while playing very important roles in this effort, no longer have primary responsibility. Communities and states make substantial expenditures to deal with these responsibilities. However, they remain frustrated by some of the same obstacles faced by those charged at the Federal level with delinquency prevention programming, that is lack of consensus on definition, elements for an effective delinquency prevention program, methods of evaluation, and coordination techniques.

The four basic themes of the administration's present program consolidations have clear implications for the states. The Federal government has already begun to:

- Transfer more authority to State and local governments;
- Deregulate the Federal financial assistance system;
- Reduce Federal funding to State and local governments and private agencies; and
- Disperse responsibility for human service programs by involving private sector expertise in planning, funding, and implementing them.

Given these changes, states will have to assume much of the policy-setting role previously handled by the Federal government, assess youth needs, develop new strategies, generate resources, establish allocation formulas, and develop effective communication channels. They will also have to increase their responsibility and their capacity for both policymaking and coordination.

Although States are presumed to spend considerable funds for delinquency prevention, it is difficult to accurately determine how much is actually expended by any agency other than the State Juvenile Justice and Deliquency Prevention Councils. Delinquency Prevention is often included with youth services or with youth development. Although many programs may have delinquency prevention components, this element may not be identified as a primary objective or may not be noted at all. Table IV gives a breakdown of the formula grant funds expended for prevention.

The results of a recent survey conducted by the Juvenile Justice Specialists with state assignments and reported by FGTAD (1983) further illustrates this problem. The informal survey ascertained the amount of

Table 5
Formula Grant Funds Expended for Prevention

TOTALS	$10,041,020 1981	$7,364,535 1982	1983
ALABAMA	53,235	53,235	53,235
LASKA	115,000	46,875	No '83 Plan
RIZONA	280,514	245,000	" " "
ARKANSAS	91,883	106,514	55,506
CALIFORNIA	1,938,000	1,293,440	No '83 Plan
OLORADO	0	125,000	201,375
ONNECTICUT	14,788	4,000	No '83 Plan
DELAWARE	36229	0	0
IST. OF COLUMBIA	0	180,000	No '83 Plan
LORIDA	406,864	362,821	362,821
GEORGIA	410,000	40,000	40,000
AWAII	N/P	0	No '83 Plan
DAHO	54,000	96,875	" " "
ILLINOIS	0	0	" " "
NDIANA	131,332	27,000	" " "
OWA	98,514	120,675	" " "
KANSAS	0	0	0
KENTUCKY	0	290,000	300,000
OUISIANA	285,537	148,367	102,452
AINE	130,000	126,000	88,000
MARYLAND	171,376	0	No '83 Plan
ASSACHUSETTS	488,351	447,015	426,350
ICHIGAN	1,337,000	126,621	0
MINNESOTA	194,301	0	No '83 Plan
ISSISSIPPI	160,000	100,000	150,000
ISSOURI	0	4,290	0
MONTANA	68,000	0	No '83 Plan
EBRASKA	30,000	19,694	19,245
EVADA	N/P	N/P	N/P
NEW HAMPSHIRE	14,000	0	0
NEW JERSEY	0	274,505	400,165
EW MEXICO	0	50,000	No '83 Plan
EW YORK	600,000	576,000	576,000
NORTH CAROLINA	532,936	340,472	340,472
ORTH DAKOTA	N/P	N/P	N/P
HIO	190,607	86,976	109,597
OKLAHOMA	N/P	N/P	N/P
REGON	0	68,000	No '83 Plan
ENNSYLVANIA	0	0	" " "
RHODE ISLAND	45,161	96,299	116,174
SOUTH CAROLINA	105,676	212,677	204,430
OUTH DAKOTA	N/P	N/P	N/P
ENNESSEE	N/P	85,000	92,000
TEXAS	330,710	185,000	182,000
TAH	175,000	80,450	No '83 Plan
ERMONT	70,000	87,375	" " "
VIRGINIA	562,487	607,579	330,762
ASHINGTON	250,402	80,963	0
EST VIRGINIA	152,500	0	No '83 Plan
WISCONSIN	388,375	313,582	326,059
YOMING	N/P	N/P	N/P
UERTO RICO	0	135,000	135,000
AMERICAN SAMOA	39,218	16,300	No '83 Plan
UAM	0	25,824	" " "
RUST TERRITORIES	22,870	~~23,000~~	" " "
VIRGIN ISLANDS	49,218	0	0
NO. MARIANAS	16,938	45,111	16,789

state dollars (non-Federal) invested in delinquency prevention for the years of 1981, 1982 and 1983. Some states reported unusually high expenditures, i.e., Louisiana, West Virginia, District of Columbia, while others, Alabama, Georgia, Colorado and New Jersey, reported zero expenditures. There is wide divergence among states as to what constitutes delinquency prevention. Many states view all services for youth as delinquency prevention, while others define prevention as a societal action to preclude illegal behavior. New York indicated $70,000,000 per year for delinquency prevention, but according to the New York Juvenile Justice Planner only a part of the funds listed under the broad category of juvenile prevention are actually used for prevention. The larger part of the funds are for general services for youth.

At this juncture it is difficult to assess just what effects the changes in Federal programs and Federal funding have made at the State and local levels. Both the number and size of programs have been decreased in some areas. Many State and local governments are in the midst of reassessing their total juvenile services and of reevaluating priorities. Although commitment to prevention has been strong in some states such as Maine, Connecticut, Vermont, Florida, and Wisconsin, in others efforts have been much more tentative. Whether cutbacks in funding and efforts to increase coordination alter further development of prevention plans and prevention programming remains to be seen.

As noted in the *Sixth Analysis and Evaluation* and in other chapters of this paper, many agencies at all levels of government deal with prevention activities although these may not be identified as such. The sources of funding are numerous and varied. The comprehensive study by the Academy for Contemporary Problems, *Major Issues in Juvenile Justice Information and Training: Grants in Aid of Local Delinquency Prevention and Control Services* (MIJJIT), identified 41 states using Federal JJDPA grants and 30 states using Omnibus Crime Control and Safe Streets Act funds for deliquency prevention as well as control activities. Most also used Title XX, Social Security Act funds, child welfare, mental health and medicaid funds. The MIJJIT study did not look at private funding sources but when these are added, the difficulties in charting funding for prevention activities as separate from other activities become even more pronounced.

The MIJJIT Study also found that States had invested significant funds in local government delinquency prevention programs. As the study notes, "It appears from the findings that states are attempting to prevent and control delinquency through their school systems, an increasingly likely place to deal with delinquency prevention." Indeed, the survey found 11 states with delinquency prevention or control subsidies in the education field funneling $60.5 to local governments. New York's Youth Development/Delinquency Prevention Subsidy, which requires a 50/50 local match for State dollars, sent $16.4 million in state funds to local governments during the year of the subsidy study.

Overall, the study identified 101 subsidy programs targeted for delinquency prevention and control. It should be remembered that these funds were strictly fiscal transfers to local governments not monies the state spent to deliver direct services or contracted with private or other vendors.

VIII. Private Sector Role in Delinquency Prevention

Historically, the private sector has played a major role in advocating for and delivering services to youth. Religious and philanthropic organizations fought for juvenile justice codes, and improved working conditions for young people. They provided homes and services for homeless and wayward youth, led the fight for protection against child abuse and were instrumental in securing mandated youth services. Delinquency prevention in its broadest interpretation has always been one of their goals, although the specific vocabulary of primary prevention rarely appears until very recent years.

As the Federal government's role in the 60s became one of more direct intervention, the traditional private, nonprofit agencies (e.g., YMCA, Girls' Clubs, Boys' Clubs) and the voluntary nonprofit organizations (e.g., Junior League, League of Women Voters) began to expand their delivery efforts. A private sector economy arose which was dependent upon Federal funding. At this same time, the "alternative" private, nonprofit agencies such as the runaway youth programs, began to emerge to serve the youth states and localities could not serve.

Throughout the 70s, Federal spending for community youth service programs increased to $15 million for a total of 45 programs. Now in the 80s, significant changes are being made in funding mechanisms due to the general state of the economy, the desire of states and localities to have more control over funding decisions, and the Administration's move to reduce Federal funding and consolidate categorical funds into block grants. With the direction of the Federal government to reduce their direct role in funding youth services, there is still a need to provide leadership and practical technical assistance, in order to encourge effective planning and coordination by the public/private partnership.

Although the general direction for both funding and decisionmaking is now clear and some of the roles and responsibilities laid out in legislation, the public/private alignment varies according to local priorities and circumstances. Once private agencies lose their "set apart" status, they will be forced to compete for local funds and at that level priorities may change frequently. The difficulties inherent in defining delinquency and in measuring the success of delinquency prevention programs may hamper their funding chances if officials view programs as non-essential and staff as adversaries at the planning table.

Nonprofit Agencies

Regardless of funding, it is likely that the private agencies will continue to make an important contribution in both planning and delivery of youth service programming because they have both experience and capacity which goverment cannot ignore or replace. Given the present financial constraints, government alone cannot hope to plan and deliver effective service.

Nonprofits also have the ability to mount effective fundraising and resource development efforts, an ability which has become more crucial as public funds diminish. If they wish to continue their essential advocacy functions, which will not be supported by public funds, they will have to seek support for this aspect of their work as well as for direct service.

New roles and relationships, refined planning and coordination mechanism, consistent standards of accountability and improved funding patterns to allow the public/private partnership to do more with less must emerge. This will insure that prevention and youth services continue to counter existing adverse social conditions. So far the effort to eliminate duplication and overlap has been a dismal failure. Given the often conflicting goals of commitment to youth service improvement and the desire to preserve programs and jobs, the present question is whether the long sought coordination can be achieved.

There are few clear predictions that less funding will be the catalyst that reduces duplication and fragmentation. One study currently being conducted by an OJJDP grantee indicates that private agencies are withdrawing from interagency relationships in order to protect their own funding and programming approaches and to concentrate on what they do best.

Options for Funding

As programs evolve and Federal funding decreases, new approaches may be necessary to guarantee adequate and continuing funding. Although not specifically delinquency prevention directed, the President's Task Force on Private Sector Initiatives is seeking to motivate corporations, foundations and private agencies to work with both government and the private sector to develop programs and incentives.

The current economic and funding climate may make it unrealistic to place the existing match requirements on local service providers. Many variations on the match requirement and on the public/private partnership are possible if foundation and corporate resources can be made available. More in-kind contributions by volunteers and corporate officials might be used as part of match requirements. In one state, the State Park Service is maintaining buildings used by a private, nonprofit as a delivery site. Vacant Federally owned properties could be used on a larger scale by nonprofit groups for youth service programs in a way similar to that now being proposed by HUD for emergency shelters. Urban enterprise zone and tax reduction incentives could be increased to encourage participation.

Nonprofit agencies have fewer incentives although some might be provided through increased funding for joint endeavors. The allocation of discretionary funds is crucial. Clearly the private sector must develop new relationships with both state and local governments and the public sector must continue its responsibility with respect to the private sector.

Role of Foundations

Although opinions vary about the future role of the private sector, it is becoming increasingly clear that foundations and corporations will of necessity be called to expand their funding levels in order to support both public and private efforts.

Documenting contributions made by foundations to the delinquency prevention effort is difficult at best. Getting any national scope on foundation activity is limited by lack of available compiled data. Organizations such as the Council on Foundations in D.C. often cover only large foundations or those making grants in excess of $5,000. Many grants to prevention programs are small and would not be included. Those foundations which contribute to youth activities usually do so on broad-based categories of youth education, youth service, juvenile justice or child welfare. Titles from grant application or organizational program listings may not give an accurate clue to the real nature of the project. In addition, foundations and corporations usually have not formulated a limited definition for deliquency prevention and do not use the specific vocabulary or philosophy of primary prevention programming. All youth development, recreational, and educational activities may be included.

A recent study in Indiana attempted to survey foundations and to single out those funding youth services. Of the listed foundations in the State they found eight which mentioned youth services. Determining the actual dollars allocated to each type of activity was extremely difficult and necessitated individual review of financial statements and personal interviews.

Some major foundations such as Ford have for many years supported alternative education programs which have included "at risk" and special needs youth. The Clark Foundation in New York City has supported child welfare and criminal justice programs. City Foundations in Columbus and in Cleveland, Ohio have funded family strengthening programs, alternative education programs, group homes, and advocacy programs.

Role of Corporations

No comprehensive compendium is available for corporate contributions or efforts so that any discussion can give only examples. Program definitions and organizational structure also vary greatly, so that determining the level of funding available from corporations according to OJJDP accepted categories is virtually impossible.

The involvement of corporations has been strongest in the youth employment area. Training youth for the work place is crucial to prevention and benefits both schools and industry. Corporate participation also builds a constituency for youth among those who have clout. Henrietta Schilit and Richard Lacey in The Private Sector Youth Connection document 55 successful models in which the private sector and schools have cooperated in providing both training and specific work opportunities. Most of the programs began with a single company participating, some are over 10 years old. The mushroom effect is evident in that a total of 7,146 companies now participate in the 55 model programs chosen for discussion. In almost every study profiled, the programs started small and one good program led to another. Most of the programs reviewed are local business-education initiatives and only few relied on federal dollars as an inducement.

A wide variety of programs are outlined. Successful models include classes in business and industry, creation of new business schools, curriculum revitalization, teacher internships in business and industry, business adopting a school programs, work-study programs, summer youth employment, and career exploration. The authors of the study have concluded that those programs work which do the following:

- Obtain commitment of both school and business leadership;
- Mobilize city-wide resources;
- Provide for ample planning time prior to start-up;
- Start as small, manageable pilot efforts and then grow;
- Provide for an evaluation design with timely feedback;
- Hire quality staff;
- Involve employees and carefully screen participating youth;
- Structure training to address local business needs and expectations;
- Guarantee at least temporary jobs;

Corporations have also been involved in meeting prevention objectives through more general development programs. Corporate officers can serve on boards of agencies to provide technical assistance for management improvement. They can help with computerization of equipment and procedures or donate computer time. An obvious needs is for development of appropriate software packages. RCA works with inner city development in Camden, New Jersey. Control Data is now working in Minneapolis with a conglomerate of 12 corporations on a massive urban development project which includes improving education and youth services as well as providing employment training and opportunities.

One large private sector effort is located in New York City where corporations, lead by the Rockefellers, have organized the New York City Partnership. The Partnership has a full-time, senior level staff and operates through a task force structure utilizing corporate executives loaned to the Partnership. The 119 person Board of Directors includes executives from many of the Fortune 500 Corporations. The task forces can respond to a variety of needs. The Public Safety Task Force has provided technical assistance to courts, probation departments, police and transit systems to improve their efficiency and management systems. The Employment Task Force, lead each year by a different corporation, provides summer jobs for youth. In 1982 over 14,000 jobs were identified, most of which were filled. The Partnership is now seeking funding to cover the operating expense of $150,000 for this years' program. Other task forces deal with education, management, and economic development research. The Partnership also forms collaborations, works with all levels of government and gives small grants, some of which recently involved a youth escort for the elderly component.

IX. Summary: Issues for Consideration

Efforts by the Office of Juvenile Justice and Delinquency Prevention to develop sound effective delinquency prevention programs have been successful in identifying interventions in the areas of community, school, work, family and peers. Theories have been formulated to explain the processes through which youth develop, and define the conditions which lead them to anti-social activities. Many of those theories are being tested in field programs. Now, however, the Federal role in the field of delinquency prevention, reduction and control is changing. There is less emphasis on providing financial resources for experimentation and more emphasis on providing training, technical assistance and information dissemination. The need to transfer the available technology of proven program models to State and local governments and private sector organizations is rapidly increasing, as these assume the major responsibility for policy-setting and funding youth programs.

Decisions must be made regarding future activity by the federal government in delinquency prevention. These decisions should be based on the current knowledge and tempered by the reality of fiscal resources availability. The Federal role needs to be philosophically compatible with the Administration's program to broaden responsibility for and transfer authority to State, local and private sector entitities. The salient facts to be considered are:

> While it is still unclear exactly what one strategy will prevent delinquency, research is identifying promising practices that allow program planners to be more consistent and focused.

Research activities sponsored in part by the National Institute for Juvenile Justice and Delinquency Prevention have resulted in a body of knowledge that address the variables influencing youth toward law-abiding behavior and provide direction for designing programs that can prevent delinquency. The advances made in research and development regarding delinquency prevention must be considered in the development of a Federal strategy.

> Delinquency prevention is a complex phenomenon that requires a comprehensive response in order to insure effectiveness.

Delinquency prevention, in order to be effective, requires the involvement of many social institutions: families, schools, employers, communities, as well as youth themselves. The nation's productivity, continuity, and stability is to a large part dependent on the successful development of its young people. This suggests that increased opportunities for successful and meaningful involvement in society are mandatory if youth are to develop belief and commitment to the law.

The Federal role in delinquency prevention has stimulated change.

Seventy years of Federal effort has resulted in a body of knowledge, a variety of approaches to working with youth and resulted in more opportunities for youth. It has been unable, however, to stem the rising tide of juvenile delinquency.

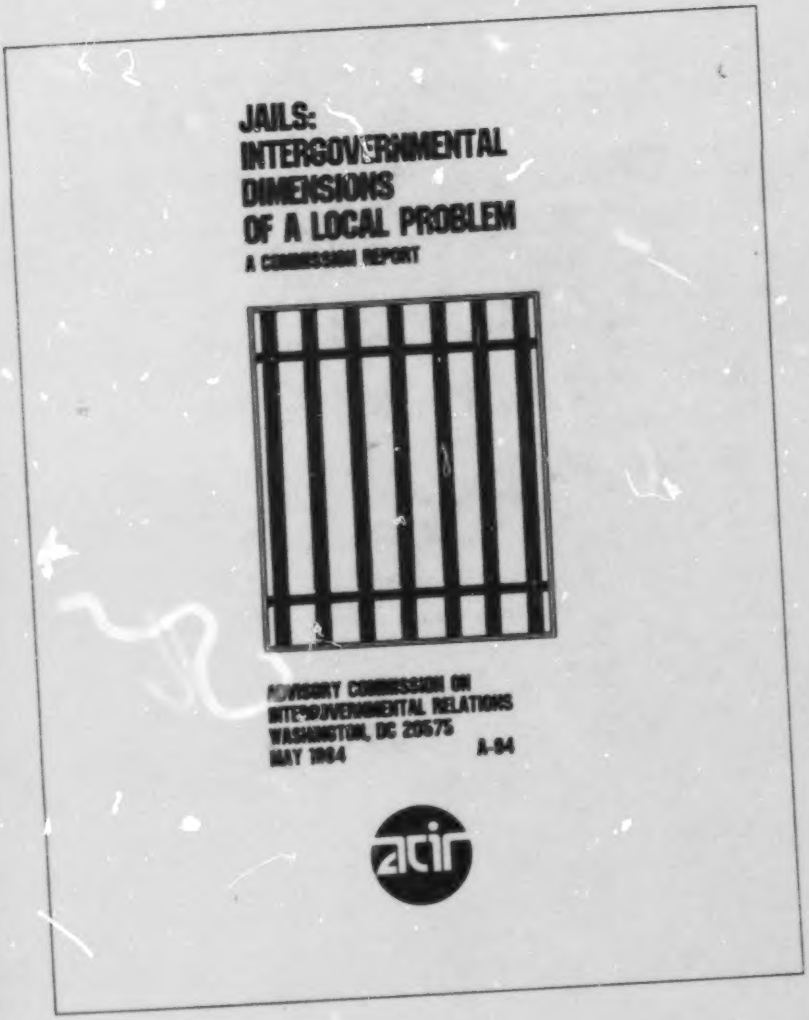
The possibilities for coordination of the Federal effort in delinquency has not been adequately explored.

Cooperation among Federal agencies has been limited to ad hoc projects and sporadic attempts to develop policy consistency. The Coordination Council program plan attempts to focus on facets of delinquency prevention particularly through schools and by increasing opportunities for involvement of youth in their communities. Those approaches should be considered, and discussions with various Federal agencies undertaken to determine the degree of commitment and resources available to implement the workplan.

The cooperation of State and local governments, community groups and the private for and non-profit sectors must be sought in the design of Federal programs.

The involvement of a wide range of actors is vital both for the planning of any Federal effort and the implementation and continuation of promising activities. Only with the advice and counsel, as well as commitment, of the other major actors in the area delinquency prevention, can effective programs be expected to succeed and continue.

A Federal strategy in delinquency prevention is both necessary and vital. The commitment of Federal resources and assistance in the past twenty years has resulted in the growth of programs and knowledge. However, the Federal role should be refined and made to complement and support the State and local governments, community groups and the private sector. Planning for such a role should be considered in the framework of the Coordinating Council, OJJDP and the National Advisory Committee.



JAILS:
INTERGOVERNMENTAL DIMENSIONS OF A LOCAL PROBLEM

A COMMISSION REPORT

ADVISORY COMMISSION ON
INTERGOVERNMENTAL RELATIONS
WASHINGTON, DC 20575
MAY 1984 A-94

acir

the offense for which he or she is presently before the court.

Recommendation A.2

KEEPING INAPPROPRIATE POPULATIONS OUT OF JAILS

The Commission finds that in recent years local jails have been used to house persons charged with no crime or simply petty violations. The results for both the jails and such people have generally been adverse. Juveniles, detained mainly for minor and, at times, even nonviolations of the law, are often subject to physical, sexual and mental abuse. Moreover, youth in jails have been found to have a high susceptibility to suicide. Many mentally ill and retarded persons once under the purview of traditional social service providers and institutions, thanks to "deinstitutionalization" reforms, are now found in great numbers in the nation's jails; yet most jails quite understandably have no expertise in dealing with this group's problems. Public inebriates also make up a significant portion of the population of jails. But the problems of these individuals are poorly served by jails. Indeed, these detainees often pose real risks to themselves in such a setting.

Various state and federal judicial and legislative initiatives have attempted to keep some or all of these groups out of jails, but the frequent absence of real alternatives undermine these efforts. The Commission is convinced that, in general, jail is the wrong place for juveniles, the mentally ill and retarded, and public inebriates and that relevant state and local social service agencies have a basic role in reducing the extent of this practice. Therefore,

The Commission recommends that all states, after consultation with affected local governments, adopt guidelines (1) for removing, where practicable, juvenile, mentally ill and retarded, and publicly inebriated detainees from jails and (2) for ensuring in the future that people within these categories are not detained in jails. The Commission further recommends that the states, in conjunction with their localities, develop better coordination among their social service and related agencies for dealing with such actual or potential detainees. Where resource constraints render these proposals impracticable, the Commission recommends that people within these categories who are detained in jails be housed separately from other detainees and be given particularly close attention throughout their stays.

One of the more unfortunate roles that the local jail has had to play is that of "social agency of last resort." For a variety of reasons many troubled people have not benefited from relevant social service agencies. Such agencies, when they do exist, often lack resources sufficient for serving these population groups.

All too often the people who fall through the gaps in the social service system end up at the local jail—an institution whose ultimate purposes are to detain the accused and to punish less serious offenders. The Commission finds that three groups of people are particularly ill-served by this state of affairs: juveniles, the mentally ill and retarded, and public inebriates. Individuals in each of these groups are highly vulnerable and sometimes subject to serious harm when placed in jails, even when only incarcerated for brief periods of time.

Juveniles

Numerous national groups are on record as opposing the jailing of juveniles, including the National Advisory Commission on Criminal Justice Standards and Goals, the American Bar Association, the Institute For Judicial Administration, the National Sheriff's Association, the Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice, and the National Coalition for Jail Reform.

Even though many states have laws prohibiting the practice, juveniles are often housed with adults in jails. The federal *Juvenile Justice and Delinquency Prevention Act* has as two goals: first removing from, and keeping out of jails all juvenile status offenders and then doing the same for all juvenile offenders. These efforts notwithstanding, the housing of juveniles along with adults still occurs in great numbers, including in those states with laws to the contrary. Estimates of the number of juveniles in jails at any time during a year range from 100,000 to over 1 million.

The problem here is three-fold. First, society loses in the long term; a major concern is that juveniles can and do "learn crime" from adults with whom they share cells.[illegible] High recidivism rates have been found among formerly jailed youths, posing long-term problems for those individuals and for society.[illegible] Second, the experience of residing in a jail may mar normal growth and adjustment[30] and cause long-run psychological harm. Finally, jailing juveniles, whether with adults or separately, seriously exacerbates what is already a national problem of great dimensions: suicide. "The rate of suicide among children held in adult jails and lockups [is] significantly higher than that among children in juvenile detention centers and children in the general population of the United States."[31]

Effects such as these are hard to justify with respect to any group of people in the society let alone persons 18 years of age and younger. The Commission believes that jailing juveniles with adults becomes more indefensible given the offenses for which most are jailed.

A 1976 study that entailed visits to jails in nine states found the following:

- children were in adult jails in every state visited;
- 11.7% of the children found in adult jails were alleged to have committed serious crimes against persons;
- 88.3% were being held in jails, often with adults, for property or minor offenses;
- the 88.3% does not tell the whole story: 17.9% of the total were jailed for having committed "status offenses," that is, acts that are only crimes when committed by children, but not by adults, including truancy, running away and incorrigibility. Moreover, 4.3% were being jailed not for having committed any offense, but rather because there was simply nowhere else to put them.[32]

The Commission recognizes that juveniles who commit crimes, whether major or minor, may warrant punishment. However, the Commission believes that as a general rule this punishment should not be meted out in adult jails.

Mentally Ill and Retarded Persons

The mentally ill and retarded are another special group who are poorly—even adversely—served by incarceration in jails. Unlike juveniles, however, the mentally ill and retarded are often difficult to recognize; few police or jail personnel have the training and expertise required to identify a person as having such problems, especially in the heat of the moment when responding to a call.

Even if police and jail personnel had such skills, many people with severe emotional problems still would be found in our jails given the absence of viable alternatives. Recent studies indicate that anywhere from 20 to 60% of all individuals confined in jails are mentally ill or disordered.[33] According to the National Coalition For Jail Reform about 600,000 mentally ill or retarded persons pass through America's jails each year.

The dangers to mentally ill and retarded persons placed in jails are similar to those suffered by juveniles. They too are vulnerable to physical, mental and sexual abuse by other detainees. Most importantly, their condition is liable to deteriorate further while in jail, increasing the risks to themselves. For example, the Los Angeles jail medical program is considered one of the best in the nation, but even it is the subject of a lawsuit charging that "'the mental health of mentally disordered prisoners deteriorates during their incarceration.'"[34]

The jails in this nation were never intended to provide services for these people. Yet, one authority believes that "[t]he jail is turning into a second-rate mental hospital,"[35] while another comments that "[i]n all but the major metropolitan areas, very few jails provide any psychiatric care at all."[36]

The situation tends to differ between large and small jails. Large jails are more apt to have some sort of mental health care just as they are also likely to have more inmates requiring that care. But setting aside space to house and treat these people may exacerbate the strain on already overtaxed jail resources.

Small jails often do not have the "luxury" of creating a separate ward for mental patients; the numbers simply do not justify such arrangements. The only way to remove these people from the general population may be to isolate them. Isolation, however, tends to create fear and suspicion among mentally ill detainees, further undermining their mental state and sometimes leading to suicides.[37]

Jails appear to be less a cause than a recipient of the problems. Numerous well-intentioned laws were passed within the last 20 years making it harder to commit and keep a person in a mental hospital. During the same period many of these facilities were closed due to a shortage of resources and a belief among mental health planners that the problems should and would be handled in the community. The envisioned community-based alternatives, however, human intermingling—the problem of pretrial detainees mixing with convicted offenders is compounded by introducing serious grade felony criminals.

Juveniles and Adults

A population dilemma of long-term duration that continues to plague local jails is the commingling of adults and juveniles. The problem is twofold. First, and most obvious, is the effect of the commingling itself. When in direct contact with adult offenders and defendants, young people risk being prime targets for physical, sexual, and mental abuse. Moreover, the special stress that incarceration places on the immature has resulted in "the rate of suicide among children held in adult jails and lockups [being] significantly higher than that among children in juvenile detention centers and children in the general population of the United States."

A second and equally disturbing problem lies in the nature of the alleged crimes for which juveniles are detained in jails. Thus, based on a 1976 site visit and study, the Children's Defense Fund (CDF) found that "17.9% of jailed children . . . had committed 'status offenses,' i.e., actions which would not be crimes if done by adults, such as running away or truancy." In addition to status offenders, CDF identified 4.3% of jailed youths as having committed no crime at all. Rather, these were children who literally had no place else to go or were being held in jail for their own protection. Indeed, only 11.7% of youths in jail were found to have committed serious crimes." (See *Table I-4*.)

Diverse correctional groups, spanning the political spectrum, have called either for the removal of juveniles from jails or, at the very least, for the separation of adults and children when complete removal is impossible:

- The National Advisory Commission on Criminal Justice Standards and Goals states that "Jails should not be used for the detention of juveniles."
- The American Bar Association and the Institute For Judicial Administration stated that "the interim detention of accused juveniles in any facility or part thereof also used to detain adults [should be] prohibited."
- The National Sheriffs' Association stated that "in the case of juveniles when jail detention cannot possibly be avoid-

Table I-4

OFFENSES OF JUVENILES FOUND IN JAIL ON DAY OF SITE VISIT

Charge		Number	Percent of Known
Serious Crimes Against the Person*		19	11.7
Property Crimes**		45	27.8
Minor Assaults		6	3.7
Minor Property Crimes		11	6.8
Behavior Crimes***		20	12.3
Children's Status Offenses (Noncriminal)		29	17.9
Runaway	17		
Delinquent	8		
Truant	4		
Protective Custody		7	4.3
Hold for Transfer		25	15.5
Total Known Offenses		162	100.00

*FBI Index of Violent Crimes: Murder, Rape, Robbery
**FBI Index of Property Crimes: Burglary, Larceny, Auto Theft
***Prostitution, Drugs, Drunkenness, Vagrancy

SOURCE: Children's Defense Fund, *Children in Adult Jails* (Washington, DC: Children's Defense Fund, 1976), p. 30.

Table I-5

JUVENILES IN LOCAL JAILS, JUNE 30, 1982

	All inmates	White*	Black*	Hispanic	Other**
Total	1,729	956	662	62	49
Male	1,577	859	635	47	36
Female	152	97	27	15	13

*Excludes person of Hispanic origin

**American Indians, Native Alaskans, Asians, and Pacific Islanders

SOURCE: U.S. Department of Justice, Bureau of Justice Statistics, "Jail Inmates, 1982," Bulletin, NCJ-87161, February 1983, p. 1.

> ed, it is the responsibility of the jail to provide full segregation from adult inmates, constant supervision, a well-balanced diet, and a constructive program of wholesome activities. The detention period should be kept to a minimum, and every effort [made] to expedite the disposition of the juvenile's case."

- **The American Correctional Association** stipulates that "juveniles in custody [should be] provided 'living quarters separate from adult inmates, although these may be in the same structure.'"

Moreover, the **National Coalition for Jail Reform**, an umbrella organization that speaks to jail problems for a large and varied set of associations, is categorically opposed to "the placing of juveniles in adult jails and lockups."

Recent years have witnessed a number of state and federal judicial and legislative initiatives aimed at removing juveniles from adult institutions. Nonetheless, their numbers remain high. Estimated by various sources at between 100,000 and 1 million annually, one report put the number of juveniles in adult jails at 1,729 on June 30, 1982 or an estimated 300,000 per year. (See *Table I-5.*)

The Mentally Ill, Retarded and Substance Abusers

If any group of inmates has given rise to the characterization of the jail as the "social agency" of last resort, it is that afflicted with some mental or behavioral disorder. Unfortunately, they are a pervasive group, a fact which has led the American Medical Association's correctional program head to assert that "[t]he jail is turning into a second-rate mental hospital."

Fairly recent studies indicate that anywhere from 20 to 60% of all individuals confined in jails are mentally ill or disordered. Specific site studies underscore these findings:

- A study of the Denver County Jail showed that 22% of 545 inmates were diagnosed as psychotic, and 23% had a history of long term or multiple hospitalization for mental illness.
- Research conducted in March and April of 1979 at the Milwaukee House of Corrections showed 17% of the total jail population had been diagnosed by the facility's consulting psychiatrist as mentally ill.
- A survey of 150 inmates in the [Fairfax County, VA] jail on a typical weekday [in December of 1980 revealed that more than a third of the inmates whose records were checked . . . had had serious alcohol, drug, or mental problems.
- At any given time, 10% of the roughly 380 inmates at the **Montgomery County** [MD] Detention Center are mentally ill, emotionally disturbed, or mentally retarded, a situation that frequently plays havoc with the corrections system.

Moreover, the problem has worsened in recent years due to state policy decisions:

> One of the most serious problems in the L.A. County Jail is a backlog of mental health cases waiting for transfer to state mental health facilities. In California, as in most other states, the closing of state mental hospitals, together with a general tight-

practice of corrections at the state and local levels."[illegible] Recent programs and activities have included:

- *Jails area resource centers*—a network of advanced jail systems that are funded by the institute to provide practical training, technical assistance and information to other jailers in their geographic areas.
- *Standards development and implementation*—a project where state agencies are funded to develop, revise and implement jail standards for local jails in those states.
- *Small jails assistance*—an ongoing program that enables state jail inspectors, sheriffs' associations, and other relevant parties to deliver technical assistance and training to small, often rural jail systems. . . . [T]raining and assistance are brought to them.
- *Planning new institutions*—a program providing training and technical assistance in architectural design, correctional standards, systems planning, community involvement and relevant legal considerations to jurisdictions planning construction or renovation of a jail. . . .
- *Training of jail authorities*—programs specifically designed to meet the training needs of sheriffs, jail administrators and others responsible for the operation of jails. County commissioners and state jail inspectors also participate in select programs.
- *Building state capacity to serve jails*—an ongoing program where the institute works with organizations and agencies within the states to build the state's long-term capacity to provide training and technical assistance to its jails.[illegible]

While NIC does maintain a modest grant program for research and development purposes,[illegible] its major direct link to individual jails is in training, technical assistance and information dissemination.[illegible]

In addition to those NIC programs obviously aimed at jails and local corrections, 228 federal programs in widely disparate fields have been identified as sources or potential sources of aid for correctional organizations, staff and clientele.[illegible] Running the gamut from the price support and loan activities of the Department of Agriculture to the Community Development Block Grants of the Department of Housing and Urban Development to the Aerospace Education Services Project of the National Aeronautics and Space Administration, the programs tend to be only peripherally (if at all) related to corrections. Consequently, they are little known to or sought out by corrections officials.

THE REGULATORY APPROACH: MANDATES, STANDARDS AND PRISONERS' RIGHTS

> The federal approach of providing financial resources, technical assistance and useful research is on the wane. In its place the federal government is showing signs of shaping a new role for itself—that of regulator.
>
> The remarkable aspect of this development is that this transformation in the federal role is taking place without an articulated policy. The LEAA program is the casualty of the push for a balanced budget. No federal policy has been articulated to explain its phase-out, and equally little attention has been paid toward rationalizing the emerging federal regulatory role. In fact, recent developments leave the impression that the new direction is being generated because of specific federal interventions into state and local criminal justice operations: activities are generating policy rather than the reverse.[illegible]

Indeed, while federal assistance to local jails—and state-local criminal justice generally—has waned, at least three federal laws and one executive branch document continue, to some degree, to influence their operation.

The Juvenile Justice and Delinquency Prevention Act

In 1974, Congress passed the *Juvenile Justice and Delinquency Prevention Act (JJDPA).* Originally designed as a broadly based formula grant with the goal of increasing "the capacity of state and local governments for the development of more effective education, training, research, prevention, diversion, treatment and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system,"[70] through a series of amendments *JJDPA* "has become increasingly preoccupied with obtaining one specific goal that of removal of [juveniles] from detention and correctional facilities."[71]

Thus, "the principal amendment contained in the 1980 reauthorization to the *Juvenile Justice and Delinquency Prevention Act* mandated that those states and territories receiving grants under the legislation must remove juveniles from adult jails and lockups by 1985."[72] With 52 states and territories currently receiving formula grants under the program and, as previously mentioned, anywhere from 100,000 to 1 million juveniles jailed annually nationwide, the 1980 amendments represent a tall order.

The problems associated with incarcerating juveniles alongside adults are not to be lightly dismissed; nor is a policy which seeks their removal from such institutions. Indeed, many practitioners and nonpractitioners would agree that current methods integrating adults and children in secure facilities are not only counterproductive but may be dangerous and debilitating to the youths involved and, as a previous section of this chapter noted, are being Constitutionally questioned in some courts. Yet in its report to Congress on the costs of removing juveniles from jail, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) indicated that the Congressionally mandated 1985 removal date might be difficult to attain in some states. OJJDP cited the following potential obstacles to complete removal:

- a lack of locally accessible alternative programs and services (including transportation);
- a lack of specific release/detain criteria (i.e., objective intake screening);
- state statutes which allow law enforcement the authority to detain youth predispositionally in adult jails;
- economic obstacles evidenced by small tax bases and a low priority given to the issue of children in jail;
- political obstacles that often occur when several counties pool efforts and resources together in a cooperative removal plan; and
- perceptual differences regarding the type and scale of alternatives needed (for example, secure detention perceived as the single-solution alternative to adult jail).[73]

In the absence of more substantial federal financial and technical assistance, such impediments may doom the nearby attainment date to the status of a legal pipedream in some states. Moreover, according to one observer:

> [The amendments] could not only cost state and local governments more money to participate in the program, but [they] could also be counterproductive. The adverse effect could come about as a result of economy of scale. Building separate facilities for juveniles potentially creates more bedspace for juveniles. This increase in bed space would create pressure to fill the beds in order to justify the facility.
>
> The problems with an approach like that of the *Juvenile Justice and Delinquency Prevention Act* are not with the goals but with the implementation strategy. A national mandate is enunciated and backed up with specific substantive regulations, displacing the partnership approach with one that seeks compliance.[74]

Alcohol Traffic Safety and National Driver Register Act

In the fall of 1982, Congress passed the *Alcohol Traffic Safety and National Driver Register Act*. The act does not directly affect local jails but it may eventually have an indirect impact.

Title I of the act authorizes the Secretary of Transportation to "make grants to those states which adopt and implement effective programs to reduce traffic safety problems resulting from persons driving while under the influence of alcohol."[75] Although the rulemaking process is still going on, the legislation itself suggests such changes in state laws as:

> 1) providing that a person with a blood alcohol concentration of 0.10% or greater when driving shall be deemed to be driving while intoxicated;
>
> 2) raising the perceived threat of apprehension through greater enforcement by the police and highway patrol and more warn-

U.S. Department of Justice
Office of Juvenile Justice and Delinquency Prevention

Children in Custody:

Advance Report on the 1979 Census of Private Juvenile Facilities

Privately operated juvenile custody facilities housed slightly fewer residents nationwide at yearend 1979 than 2 years earlier--in contrast to an appreciable increase for the 1975-77 period--and the number of facilities also declined. Amounting to about 2 percent, the decrease in residents occurred alongside a similar reduction within facilities operated directly by government agencies.[1] As in the public sector, the drop in juveniles centered on those held as "status" offenders, whose conduct would not be an offense if committed by an adult (e.g., runaways, curfew violators, and truants). Reduction in the size of this group was an indication of continued efforts to deinstitutionalize status offenders, a key objective of the Juvenile Justice and Delinquency Prevention Act of 1974. The decrease in juveniles was entirely among girls, whereas the count of boys showed a small increase. The number of facilities dropped 3 percent, in sharp contrast to a 25-percent growth (mainly in community-based group homes and other "open" facilities) during the preceding intercensal period.[2]

Preliminary data from the 1979 Census of Private Juvenile Facilities revealed that approximately 28,700 residents were housed in 1,558 facilities throughout the country on December 31, 1979. All but 5 percent of these facilities were long-term, or post-placement, establishments. As the status offender population declined during 1977-79, the proportions held for other reasons increased. Notably, there was a 22-percent rise in voluntary admissions, juveniles who had entered a facility of their own accord or were referred by a parent, court, or school without formal adjudication. The proportion of juveniles held for delinquency (conduct that would be regarded as criminal if committed by adults) remained essentially unchanged at one-third of the total, among public facilities, by contrast, this proportion increased from 86 to 92 percent over the 2-year period. The ratio of committed to detained youth--those already placed versus those awaiting adjudication or placement--rose from 26 to 1 in 1977 to 30 to 1 in 1979, further emphasizing the private sector's principal role of providing post-adjudication care for committed juveniles. About 4 of every 5 juveniles resided in open facilities, primarily group homes, and only 1 in 5 lived in institutional establishments. By comparison, the proportions in the public sector were nearly the reverse: approximately 3 of every 4 under institutional arrangements and 1 in 4 in open settings.

The decline in the number of girls within private facilities reduced their share of the juvenile population from 30 percent in 1977 to 28 percent in 1979, returning their total to the mid-1975 level. Although juvenile females accounted for the bulk of the overall decrease, a reduction in the number of adult residents also contributed to lowering the total, an indication of progress toward the Juvenile Justice Act goal of separating juveniles from adults. As in 1977, blacks comprised a fifth of the juveniles in private facilities, a smaller proportion than in the public sector (one-third) but still in excess of their 14-percent representation in the 10-19 year age group of the general population. Youths of Hispanic origin were 7 percent of the juveniles in private facilities, nearly the same as their share of the age-relevant population at large.

Admissions to and departures from private facilities totalled 134,000 transactions in 1979, 4 percent more than in 1977. Because of the slower resident turnover in long-term care facilities, the volume remained much below that of the public sector, roughly one-tenth as large in 1977 and one-eighth in 1979. During the last 2 years of the decade, the average length of stay of a juvenile in residence declined from 270 to 261 days. The average age of juveniles remained unchanged at 14.9 years for boys and 15.0 years for girls, in each case a leveling off after dropping nearly half a year during the preceding intercensal period. The average number of juveniles per establishment at the end of 1979 was 31 for institutional facilities and 17 for open residences, virtually the same as 2 years earlier. Only 2 percent of private facilities were being used at more than 100 percent of design capacity, and almost a fifth were less than 70-percent occupied.

Private facility staff expanded 6 percent from yearend 1977 to 1979, with gains in both full-time and part-time employees, as well as in community volunteers. In combination with the overall decline in residents, the increase in staff resulted in a continued drop in the ratio of persons in custody to employees, which stood at 1.5 to 1 at mid-1974, compared with 1.2 to 1 at yearend 1979. Reflecting mainly personnel growth and inflation, total private facility expenditures climbed approximately one-fifth during 1977-79, from $384 million to $465 million, but lower than the rate of increase (two-fifths) for the previous census period. The annual operating cost per resident rose from $12,269 in 1977 to $15,377 in 1979.

Slightly more than half of all States decreased the number of residents held in private juvenile facilities during 1977-79, in contrast to gains in about three-fifths during 1975-77. Three jurisdictions with the largest decreases--Illinois (428), Washington (335), and Minnesota (213)--together were responsible for nearly two-fifths of the nationwide decline. Among States with increases, 3 accounted for half the total--Pennsylvania (464), Arkansas (215), and Tennessee (212).

As the decade ended, the highest numbers of private facility residents per 100,000 population were found in Alaska (56), South Dakota (37), and Nebraska (33), also among the highest at yearend 1977. Excluding Delaware, which had no private facilities, the lowest ratio of residents per 100,000 general population was shared by Hawaii and West Virginia (both with 2), followed by Alabama (3), and Mississippi and Virginia (4 each). The total number of residents in private facilities exceeded that in the public sector in about a third of the States.

Nearly 3 of every 5 States recorded a decrease in the number of privately operated facilities during the 2-year period ending December 31, 1979, slightly more than the proportion that experienced a decline in residents, as for the rest, there was an increase of facilities in 19 and the same number in 3. California led the reduction with 36 fewer residences, followed by Washington (28) and Minnesota (25). A transfer of at least 27 group homes from public to private operation contributed to New York's 38 facility increase, placing it in the lead of jurisdictions showing a countertrend.

Staff size increased in approximately three-fifths of all jurisdictions. California led the gainers with 694 additional personnel, followed by Pennsylvania with 508. The leading countertrend States were Illinois and Washington, with reductions of 468 and 300 workers, respectively. Nearly 4 of every 5 States increased expenditures during 1977-79, 10 of them by more than 50 percent.

The U.S. Bureau of the Census conducted the 1977 and 1979 Censuses of Public and Private Juvenile Facilities. Detailed results of those enumerations, together with State and national tables, description of data collection methods, glossary, and questionnaire facsimilies, will be contained in a forthcoming report. Information in this advance report is preliminary and subject to revision.

Table 1. Selected characteristics of private juvenile custody residents and facilities, 1974, 1975, 1977 and 1979

Characteristic	1974	1975	1977	1979
Number of residents	31,749	27,450	29,377	28,707
Juvenile	31,749	27,290	29,070	28,678
Male	22,104	19,152	20,387	20,505
Female	9,645	8,138	8,683	8,173
Adult	0	160	307	29
Average age (years)[1]	NA	NA	14.9	14.9
Male	14.6	15.3	14.9	14.9
Female	14.8	15.4	15.0	15.0
Number of admissions[2]	53,661	56,708	67,045	69,419
Number of departures[2]	47,471	50,986	61,571	64,486
Average daily number of residents[2]	31,384	26,740	29,611	28,556
Number of facilities	1,337	1,277	1,600	1,558
Short-term	76	66	126	74
Long-term	1,261	1,211	1,474	1,484
Facility occupancy rate (percent)[3]	100	100	100	100
Occupied less than 70 percent	21	21	20	22
Occupied 70-100 percent	72	(79)	78	76
Occupied more than 100 percent	7		2	2
Number of personnel	28,612	27,651	30,918	32,910
Full-time	20,600	NA	22,381	23,530
Part-time	8,012	NA	8,537	9,380
Juveniles per full-time staff member	1.5	NA	1.3	1.2
Expenditures (thousands of dollars)	294,036	273,644	384,327	465,046
Capital	25,905	19,173	21,008	25,933
Operating	268,131	254,471	363,319	439,113
Per capita operating cost (dollars)[3]	8,544	9,516	12,269	15,377

NOTE: Data for 1974 and 1975 are as of June 30, and for 1977 and 1979 as of December 31, except for figures on admissions and departures, average daily number of residents, facility occupancy rate, expenditures, and operating costs, which are for an annual period, either calendar or fiscal year.

NA Not available.

[1] Based on juvenile residents only.

[2] Based on all residents (juvenile and adult).

[3] Based on average daily number of residents.

---

[1] See, Children in Custody: Advance Report on the 1979 Census of Public Juvenile Facilities (October 1980). Final results of the enumeration of State and local government facilities are somewhat higher than the reported preliminary totals. The number of residents is approximately 45,400 (1 percent fewer than in 1977), housed in 1,115 facilities.

---

[2] Facilities enumerated in the 1977 and 1979 censuses were classified as either open or institutional, based on responses to questions on degree of access to the community and the extent of in-house physical and staff controls. The great majority of facilities identified in earlier censuses as detention centers, diagnostic centers, or training schools and a significant proportion of ranches fall into the institutional category, whereas most of those identified as shelters or group homes, as well as some ranches, can be classified as open. Additional details on this classification procedure will appear in a follow-up report.

Table 2. Selected characteristics of private juvenile custody residents (juvenile only) and facilities, by type of facility, 1977 and 1979

Characteristic	All facilities 1977	All facilities 1979	Short-term 1977	Short-term 1979	Long-term 1977	Long-term 1979
Number of juveniles	29,070	28,678	843	732	28,227	27,946
Sex	29,070	28,678	843	732	28,227	27,946
Male	20,387	20,505	439	444	19,948	20,061
Female	8,683	8,173	404	288	8,279	7,885
Average age (years)	14.9	14.9	14.7	14.6	14.9	15.0
Race	29,070	28,678	843	732	28,227	27,946
White	21,917	21,650	616	546	21,301	21,104
Black	6,005	5,843	184	106	5,821	5,737
Other	1,148	1,185	43	80	1,105	1,105
Ethnic composition	29,070	28,678	843	732	28,227	27,946
Hispanic	2,096	1,906	59	41	2,037	1,865
Non-Hispanic	26,974	26,772	784	691	26,190	26,081
Adjudication status	29,070	28,678	843	732	28,227	27,946
Detained	[illegible]	736	725	462	169	274
Committed	23,089	21,738	76	199	23,013	21,539
Voluntary admission	5,087	6,204	44	71	5,043	6,133
Reason held	29,070	28,678	843	732	28,227	27,946
Delinquency	9,484	9,603	168	236	9,316	9,367
Status offense	7,438	6,291	402	246	7,036	6,045
Other[1]	12,148	12,784	273	250	11,875	12,534
Physical environment	29,070	28,678	843	732	28,227	27,946
Institutional facilities	6,465	5,456	184	264	6,281	5,192
Open facilities	22,605	23,222	659	468	21,946	22,754
Average length of stay (days)	270	261	20	55	291	272
Number of facilities	1,600	1,558	126	74	1,474	1,484
Institutional facilities	206	174	16	14	190	160
Open facilities	1,394	1,384	110	60	1,284	1,324
Frequency of community access	1,600	1,558	126	74	1,474	1,484
Daily or almost daily	1,260	1,243	NA	53	NA	1,190
Weekly or less frequently	312	281	NA	15	NA	266
Never	28	34	NA	6	NA	28
Security level	1,600	1,558	126	74	1,474	1,484
Strict	55	42	5	5	50	37
Medium	395	333	26	15	369	318
Minimal or none	1,150	1,183	95	54	1,055	1,129
Number of personnel	30,918	32,910	1,803	1,087	29,115	31,823
Payroll	26,030	27,810	1,162	851	24,868	26,959
Nonpayroll	2,232	2,421	263	143	1,969	2,278
Community volunteer	2,656	2,679	378	93	2,278	2,586

NOTE: All data are as of December 31, except average length of stay which are for the calendar year.

NA Not available.

[1] In 1977 this category included 5,296 nonoffenders held for dependency, neglect or abuse, and 1,739 for emotional disturbance or mental retardation; 5,087 juveniles who admitted themselves to a facility or were referred by a parent, court, or school, without being adjudged for an offense; and 26 who were not classifiable. In 1979 the corresponding numbers were 5,030, 1,383, 6,204, and 167, respectively.

Table 3. Selected characteristics of private juvenile custody facilities--States, December 31, 1977 and 1979

State	Residents 1977	Residents 1979	Facilities 1977	Facilities 1979	Staff 1977	Staff 1979	Expenditures¹ (thousands of dollars) 1977	Expenditures¹ (thousands of dollars) 1979
United States	29,377	28,678	1,600	1,558	30,918	32,910	384,327	465,047
Alabama	147	132	15	20	174	184	901	1,546
Alaska	163	231	15	16	204	242	3,901	5,281
Arizona	731	648	38	28	746	718	10,834	13,383
Arkansas	373	588	19	27	402	489	1,776	7,428
California	3,917	3,932	286	250	3,913	4,607	55,139	66,819
Colorado	665	564	32	27	667	544	7,163	7,676
Connecticut	395	369	27	21	410	363	4,673	4,945
Delaware	0	0	0	0	0	0	0	0
District of Columbia	82	(D)	3	(D)	47	(D)	575	(D)
Florida	724	728	36	30	992	588	7,168	9,130
Georgia	301	263	12	10	266	276	2,255	2,519
Hawaii	58	21	5	(D)	88	30	1,483	348
Idaho	106	112	7	6	159	165	1,471	1,720
Illinois	944	516	20	12	1,069	601	16,043	9,444
Indiana	822	954	29	44	573	886	7,463	11,421
Iowa	319	434	30	44	366	638	7,534	9,835
Kansas	646	761	55	64	615	826	7,838	8,845
Kentucky	283	234	11	12	393	418	1,834	2,180
Louisiana	331	407	16	17	268	314	2,895	5,39[illegible]
Maine	327	285	17	18	172	189	2,658	2,568
Maryland	688	570	44	41	714	739	8,526	7,171
Massachusetts	688	690	40	44	953	1,083	9,655	12,675
Michigan	1,092	919	49	36	1,227	1,197	17,333	19,434
Minnesota	917	704	85	60	980	866	12,301	12,059
Mississippi	169	89	9	5	86	59	1,036	630
Missouri	587	514	26	22	663	662	7,875	9,797
Montana	152	115	10	9	187	149	1,757	1,783
Nebraska	489	514	11	11	520	510	4,857	8,913
Nevada	(D)	91	(D)	7	(D)	95	(D)	1,108
New Hampshire	177	218	6	9	110	147	1,668	2,208
New Jersey	255	427	20	17	347	505	3,343	6,922
New Mexico	324	240	16	14	230	211	2,424	2,593
New York	3,459	3,319	111	149	4,564	4,913	65,798	75,841
North Carolina	403	472	31	44	379	564	4,201	6,464
North Dakota	115	91	7	6	111	107	1,636	1,885
Ohio	1,259	1,193	76	66	1,400	1,304	15,738	20,087
Oklahoma	572	648	39	35	626	623	6,436	8,595
Oregon	443	414	39	33	555	614	5,572	6,999
Pennsylvania	1,680	2,144	57	69	1,998	2,506	27,517	35,489
Rhode Island	76	121	6	11	72	146	683	1,602
South Carolina	121	144	9	8	108	125	904	1,010
South Dakota	287	235	19	17	227	242	2,636	2,951
Tennessee	209	421	9	24	224	367	1,813	4,832
Texas	1,564	1,405	47	39	1,051	1,086	11,754	16,680
Utah	163	211	16	15	157	167	1,213	1,541
Vermont	112	142	10	13	174	152	1,075	2,226
Virginia	310	213	9	6	209	210	3,179	3,325
Washington	941	606	74	46	860	560	10,502	6,58[illegible]
West Virginia	20	30	6	6	46	48	271	36[illegible]
Wisconsin	628	597	42	45	896	843	10,477	12,153
Wyoming	(D)	(D)	(D)	(D)	(D)	(D)	(D)	(D)

D Data not shown to preserve confidentiality guarantees. Suppressed data are included, however, in entry totals.

¹Includes the total of capital and operating expenditures during either the fiscal or calendar year. Detail does not add to total because of rounding.

U.S. Department of Justice
Office of Juvenile Justice and Delinquency Prevention

Children in Custody:

Advance Report on the 1979 Census of Public Juvenile Facilities

October 1980

General Findings

The total number of residents in public juvenile custody facilities across the Nation declined slightly between late 1977 and late 1979, while growth in the stock of public facilities virtually came to a halt for the first time in a decade. Indicative of continued progress toward a key objective of the Juvenile Justice and Delinquency Prevention Act of 1974, the decline in population centered on "status" offenders, those whose conduct would *not* be an offense if committed by an adult (e.g., curfew violators, truants, and runaways). The decrease during the 2-year period was entirely among girls, whereas there was a small increase in the number of boys in custody. The leveling off in the number of facilities operated by State and local governments was related, at least in part, to an increased role by small, community-based facilities in the private sector and the use of foster homes as a means of diverting status offenders from the juvenile justice system.[1]

The 1979 Census of Public Juvenile Facilities revealed that approximately 45,300 residents were housed in 993 public facilities nationwide at yearend, or 1 percent fewer than the 45,900 counted in nearly the same number of establishments (992) 2 years earlier. In contrast to the sharp drop in status offenders during the 2-year period--from about 1 in 10 to nearly 1 in 20 of all juveniles in custody--the number held for delinquency (those whose conduct would be regarded as criminal if committed by adults) increased by 4 percent. The ratio of committed to detained youths--those already placed versus those awaiting adjudication or placement--remained at roughly 3 to 1. Long-term facilities, those housing mainly adjudicated youths, outnumbered short-term, or pre-placement, residences by roughly 5 to 4. Although there was a slight decline in the number of long-term "open" residences, they comprised 3 of every 5 long-term facilities.[2]

As a result of the 1977-79 decline in the number of girls in custody, their share of the total juvenile population was reduced from 16 to 14 percent--a continuation of a trend noted in the 1977 census. As in 1977, black youths comprised about a third of all juveniles held in public sector facilities, or about 2.5 times more than their relative number among the general U.S. population age 10-19. The proportion of juveniles in custody who were of Hispanic origin rose from 9 to 10 percent between 1977 and 1979, as compared with their 6-percent contribution to the age-relevant population at large.

For the first time during the decade, the annual resident turnover rate at public facilities was well below the 600,000 level for both admissions and departures--a development consistent with a tendency in some jurisdictions to divert status and nonoffenders from the juvenile justice system. As a result of this tendency, there was a continued increase in the average age of juveniles held, which from 1973 on moved upward from 15.2 to 15.5 years for boys and from 14.9 to 15.1 years for girls. The average length of stay for juveniles in public facilities showed no significant change between 1977 and 1979, remaining at about half a month for the detained population and 6 months for the committed. In contrast to the seriously crowded conditions in many adult correctional institutions, only about 1 in every 10 public juvenile facilities was being used at more than 100 percent of design capacity in 1979, and approximately a third of the total were less than 70 percent occupied.

---

[1] Highlights of the 1979 Census of Private Juvenile Facilities will be presented in a forthcoming report. Foster homes, private residences for the placement of fewer than 3 juveniles, were outside the scope of the juvenile facility censuses.

[2] Facilities enumerated in the 1977 and 1979 censuses were classified as either open or institutional, based on responses to questions on degree of access to the community and the extent of in-house physical and staff controls. The great majority of facilities identified in earlier censuses as detention centers, diagnostic centers, or training schools, and a significant proportion of ranches, fall into the *institutional* category, whereas most of those identified as shelters or group homes, as well as some ranches, can be classified as *open*. Additional details on this classification procedure will appear in a follow-up report.

While the population in public facilities declined slightly during the latest census period, staff size was leveling off. This abatement in personnel growth--the first during the 1970's--resulted from a 6-percent decrease in part-time staff that offset continued expansion in the number of full-time workers. The latter maintained a 1 to 1 ratio with juveniles in 1979, the same as 2 years earlier and a notable improvement over the 1.4 clients for each full-time staff member at the beginning of the decade. Total expenditures within the public sector increased by nearly a fifth, from $708 million in 1977 to $840 million in 1979--about the same relative increase as occurred between 1975 and 1977--while operating costs per resident rose from $14,123 to $16,512.

Approximately 3 out of every 5 States shared in the decline in the number of residents held in public facilities between yearend 1977 and 1979, the largest absolute decreases occurring in Oklahoma (301), Texas (239), and Wisconsin (211). In contrast, California, the leader among jurisdictions showing a countertrend, reported an 896-resident increase over 1977, followed by New Jersey (294) and Alabama (164). The highest ratios of juveniles per 100,000 resident population in 1979 were found in the District of Columbia (67), Nevada (50), and California (48)--the same jurisdictions as in 1977. The lowest ratios were exhibited by Connecticut (8), New York (8), and Massachusetts (2), also among the lowest in 1977.

Because of its large, 40-facility drop (including at least 27 group homes that were contracted out to private operators), the State of New York contributed importantly to the post-1977 leveling off in public facility growth. Overall, there were facility decreases in 15 States, no change in 15, and increases in 21; by comparison, from mid-1975 to yearend 1977, jurisdictions gaining public residences outnumbered decliners by nearly 3 to 1. Fewer States also reported net staff growth during 1977-79, about half showing increases, as compared with the two-thirds that registered gains between 1975 and 1977.

Inflation helped push up total expenditures for public juvenile facilities in every State during the last 2 years of the decade. Cost rises of 30 percent or more took place in 17 jurisdictions.

The U.S. Bureau of the Census conducted the 1977 and 1979 Censuses of Public Juvenile Facilities. Detailed results of those enumerations will be published together with State and national tables, a description of data collection methods, a glossary, and questionnaire facsimiles in a forthcoming report. Information in this advance report is preliminary and subject to revision; preliminary results of the Census of Private Juvenile Facilities will be released in a report similar to this one.

Table 1. Selected characteristics of public juvenile custody residents and facilities, 1971, 1973, 1974, 1975, 1977, and 1979

Characteristic	1971	1973	1974	1975	1977	1979
Number of residents	57,239	47,983	47,268	49,126	45,920	45,251
Juvenile	54,729	45,694	44,922	46,980	44,096	43,089
Male	41,781	35,057	34,783	37,926	36,921	37,063
Female	12,948	10,637	10,139	9,054	7,175	6,026
Adult	2,510	2,289	2,346	2,146	1,824	2,162
Average age (years)[1]	NA	NA	NA	NA	15.3	15.4
Male	NA	15.2	15.3	15.3	15.4	15.5
Female	NA	14.9	14.9	15.0	15.1	15.1
Number of admissions[2]	616,766	600,960	647,175	641,189	614,385	564,875
Number of departures[2]	614,606	596,207	640,608	632,983	622,151	586,815
Average daily number of residents[2]	58,429	47,385	46,753	48,794	48,032	47,642
Number of facilities	722	794	829	874	992	993
Short term	338	355	371	387	448	458
Long term	384	439	458	487	544	535
Facility occupancy rate (percent)[3]	100	100	100	100	100	100
Occupied less than 70 percent	36	44	42	36	32	34
Occupied 70-100 percent	48	44	46	51	59	55
Occupied more than 100 percent	16	12	12	13	9	11
Number of personnel	43,372	44,845	46,276	52,534	61,060	60,889
Full time	39,521	35,216	39,391	41,156	43,322	44,234
Part time	3,851	9,629	6,885	11,378	17,738	16,655
Juveniles per full-time staff member	1.4	1.2	1.1	1.1	1.0	1.0
Expenditures (thousands of dollars)	456,474	483,941	508,630	594,146	707,732	839,093
Capital	47,365	30,127	24,536	34,510	29,366	53,242
Operating	409,109	453,814	484,094	559,636	678,366	786,683
Per capita operating cost (dollars)[3]	7,002	9,577	10,354	11,469	14,123	16,512

NOTE: Data for 1971-75 are as of June 30 and for 1977 and 1979 as of December 31, except for figures on admissions and departures, average daily number of residents, facility occupancy rate, expenditures, and operating costs, which are for an annual period, either calendar or fiscal year.

NA Not available.

[1] Based on juvenile residents only.

[2] Based on all residents (juvenile and adult).

[3] Based on average daily number of residents.

Table 2. Selected characteristics of public juvenile custody residents (juveniles only) and facilities, by type of facility, 1977 and 1979

Characteristic	All facilities		Type of facility			
			Short-term		Long-term	
	1977	1979	1977	1979	1977	1979
Number of juveniles	44,096	43,089	11,929	12,141	32,167	30,948
Sex	44,096	43,089	11,929	12,141	32,167	30,948
Male	36,921	37,063	9,521	9,976	27,400	27,087
Female	7,175	6,026	2,408	2,165	4,767	3,861
Average age (years)	15.3	15.4	15.2	15.1	15.6	15.6
Race	44,096	43,089	11,929	12,141	32,167	30,948
White	27,963	25,935	7,893	7,284	20,070	18,651
Black	14,865	13,727	3,609	3,431	11,256	10,296
Other	1,045	948	204	203	841	745
Not reported[1]	223	2,479	223	1,223	0	1,256
Ethnic composition	44,096	43,089	11,929	12,141	32,167	30,948
Hispanic	4,009	4,393	1,336	1,439	2,673	2,954
Non-Hispanic	40,087	38,696	10,593	10,702	29,494	27,994
Adjudication status	44,096	43,089	11,929	12,141	32,167	30,948
Detained	11,190	11,508	10,619	10,816	571	692
Committed	32,477	31,284	1,305	1,278	31,172	30,006
Voluntary admission	429	297	5	47	424	250
Reason held	44,096	43,089	11,929	12,141	32,167	30,948
Delinquency	37,846	39,455	10,074	10,787	27,772	28,668
Status offense	4,916	2,734	1,540	1,030	3,376	1,704
Other[2]	1,334	900	315	324	1,019	576
Physical environment	44,096	43,089	11,929	12,141	32,167	30,948
Institutional facilities	32,197	31,817	11,363	11,255	20,834	20,562
Open facilities	11,899	11,272	566	886	11,333	10,386
Average length of stay (days)	107	106	14	15	184	183
Detained	12	14	12	13	18	22
Committed	179	178	76	69	188	189
Number of facilities	992	993	448	458	544	535
Institutional facilities	596	608	396	400	200	208
Open facilities	396	385	52	58	344	327
Frequency of community access	992	993	448	458	544	535
Daily or almost daily	313	287	59	68	254	219
Weekly or less frequently	264	301	51	73	213	228
Never	415	405	338	317	77	88
Security level	992	993	448	458	544	535
Strict	228	290	202	234	26	56
Medium	390	308	192	163	198	145
Minimal or none	374	395	54	61	320	334
Number of personnel	61,060	60,889	22,150	22,517	38,910	38,372
Payroll	46,840	47,843	16,863	17,542	29,977	30,301
Nonpayroll	3,014	2,960	1,648	1,649	1,366	1,311
Community volunteer	11,206	10,086	3,639	3,326	7,567	6,760

NOTE: All data are as of December 31, except average length of stay which are for the calendar year.

[1] In 1979 this category included 1,976 juveniles (772 short-term and 1,204 long-term) in 51 Florida facilities for whom race data were not reported.

[2] In 1977 this category included 706 nonoffenders held for dependency, neglect or abuse, and 115 for emotional disturbance or mental retardation; 429 juveniles who admitted themselves to a facility or were referred by a parent, court, or school, without being adjudged for an offense; and 84 who were not classifiable. In 1979 the corresponding numbers were 498, 56, 297, and 49, respectively.

Table 3. Selected characteristics of public juvenile custody facilities—States, yearend 1977 and 1979

State	Residents		Facilities		Staff		Expenditures¹ (thousands of dollars)	
	1977	1979	1977	1979	1977	1979	1977	1979
United States	45,920	45,251	992	993	[illegible]	[illegible]	[illegible]	[illegible]
Alabama	474	638	21	22	[illegible]	[illegible]	[illegible]	[illegible]
Alaska	131	142	2	2	[illegible]	[illegible]	[illegible]	[illegible]
Arizona	653	574	17	18	[illegible]	[illegible]	[illegible]	[illegible]
Arkansas	423	313	10	9	[illegible]	[illegible]	[illegible]	[illegible]
California	10,031	10,927	114	113	[illegible]	[illegible]	[illegible]	[illegible]
Colorado	779	627	13	14	[illegible]	[illegible]	[illegible]	[illegible]
Connecticut	235	245	4	4	[illegible]	[illegible]	[illegible]	[illegible]
Delaware	213	206	5	5	[illegible]	[illegible]	[illegible]	[illegible]
District of Columbia	567	434	13	14	[illegible]	[illegible]	[illegible]	[illegible]
Florida	2,026	2,012	50	52	[illegible]	[illegible]	[illegible]	[illegible]
Georgia	1,194	1,156	26	23	[illegible]	[illegible]	[illegible]	[illegible]
Hawaii	103	124	3	4	[illegible]	[illegible]	[illegible]	[illegible]
Idaho	128	195	2	2	[illegible]	[illegible]	[illegible]	[illegible]
Illinois	1,288	1,175	25	24	[illegible]	[illegible]	[illegible]	[illegible]
Indiana	1,088	1,094	17	16	[illegible]	[illegible]	[illegible]	[illegible]
Iowa	409	380	14	11	[illegible]	[illegible]	[illegible]	[illegible]
Kansas	627	664	14	13	[illegible]	[illegible]	[illegible]	[illegible]
Kentucky	635	691	23	34	[illegible]	[illegible]	[illegible]	[illegible]
Louisiana	923	1,017	13	13	[illegible]	[illegible]	[illegible]	[illegible]
Maine	157	181	1	1	[illegible]	[illegible]	[illegible]	[illegible]
Maryland	972	977	15	14	[illegible]	[illegible]	[illegible]	[illegible]
Massachusetts	180	114	9	10	[illegible]	[illegible]	[illegible]	[illegible]
Michigan	1,884	1,795	49	49	[illegible]	[illegible]	[illegible]	[illegible]
Minnesota	626	746	21	21	[illegible]	[illegible]	[illegible]	[illegible]
Mississippi	364	353	7	9	[illegible]	[illegible]	[illegible]	[illegible]
Missouri	1,130	1,002	55	50	[illegible]	[illegible]	[illegible]	[illegible]
Montana	264	176	8	7	[illegible]	[illegible]	[illegible]	[illegible]
Nebraska	242	231	4	5	[illegible]	[illegible]	[illegible]	[illegible]
Nevada	347	361	6	7	[illegible]	[illegible]	[illegible]	[illegible]
New Hampshire	164	182	1	1	[illegible]	[illegible]	[illegible]	[illegible]
New Jersey	1,094	1,388	43	50	[illegible]	[illegible]	[illegible]	[illegible]
New Mexico	373	332	4	7	[illegible]	[illegible]	[illegible]	[illegible]
New York	1,545	1,397	95	55	[illegible]	[illegible]	[illegible]	[illegible]
North Carolina	868	729	15	22	[illegible]	[illegible]	[illegible]	[illegible]
North Dakota	116	102	6	6	[illegible]	[illegible]	[illegible]	[illegible]
Ohio	2,717	2,541	49	56	[illegible]	[illegible]	[illegible]	[illegible]
Oklahoma	918	617	10	11	[illegible]	[illegible]	[illegible]	[illegible]
Oregon	769	825	11	13	[illegible]	[illegible]	[illegible]	[illegible]
Pennsylvania	1,087	1,128	31	27	[illegible]	[illegible]	[illegible]	[illegible]
Rhode Island	91	86	2	2	[illegible]	[illegible]	[illegible]	[illegible]
South Carolina	595	623	8	9	[illegible]	[illegible]	[illegible]	[illegible]
South Dakota	183	147	5	5	[illegible]	[illegible]	[illegible]	[illegible]
Tennessee	1,323	1,125	17	27	[illegible]	[illegible]	[illegible]	[illegible]
Texas	1,952	1,713	30	30	[illegible]	[illegible]	[illegible]	[illegible]
Utah	233	227	9	10	[illegible]	[illegible]	[illegible]	[illegible]
Vermont	98	0	1	0	[illegible]	[illegible]	[illegible]	[illegible]
Virginia	1,348	1,400	40	51	[illegible]	[illegible]	[illegible]	[illegible]
Washington	1,117	1,025	32	30	[illegible]	[illegible]	[illegible]	[illegible]
West Virginia	369	256	10	9	[illegible]	[illegible]	[illegible]	[illegible]
Wisconsin	887	676	10	10	[illegible]	[illegible]	[illegible]	[illegible]
Wyoming	140	182	2	2	[illegible]	[illegible]	[illegible]	[illegible]

[1] Total capital and operating expenditures during either the 1977 or 1979 fiscal years. Detail does not add to total shown because of rounding.

Hubert H. Humphrey Institute of Public Affairs
University of Minnesota

Rethinking Juvenile Justice

Ira M. Schwartz, Senior Fellow and Project Director (612) 376-[illegible]
909 Social Sciences Building • University of Minnesota • Minneapolis, Minnesota 55455

THE JUVENILE JUSTICE SYSTEM AND YOUNG WOMEN

NATIONALLY

According to FBI statistics, there were 389,131 juvenile females arrested in 1982 for all types of offenses (i.e. status offenses, misdemeanors and felonies). 7,568 were arrested for Part I violent crimes and 110,631 were arrested for Part I property crimes.

Females accounted for 21% or 86,535 of the admissions to detention centers and 14% or 7,929 of the commitments to training schools.

The rates' of serious violent and property crimes committed by female juveniles in 1979 and 1982 were:

	1979	1982
Part I Violent	27.67	27.53
Part I Property	451.49	402.64

In 1982, 25% of the total juvenile female arrests were for status offenses as compared to only 9% for juvenile males.

The operating expenditures for training schools and detention centers were nearly $900 million in 1982.

MINNESOTA

According to FBI statistics, there were 7,703 juvenile females arrested in 1982 for all types of offenses(i.e. status offenses, misdemeanors and felonies). 64 were arrested for Part I violent crimes and 3,141 were arrested for Part I property crimes.

The rates' of serious violent and property crimes committed by female juveniles in 1979 and 1982 were:

	1979	1982
Part I Violent	15.79	10.0
Part I Property	992.31	580.0

In 1982, 16% of the total female juvenile arrests were for status offenses as compared to only 5% of total arrests for juvenile males.

Females accounted for 27% of the admissions to detention centers and 14% of the commitments to training schools.

Total operating expenditures of training schools and detention centers were nearly $17 million in 1982.

In [illegible], Minnesota ranked [illegible] in annual per youth expenditures for Detention Centers($35,594) and 11th in annual per youth Training School Expenditures($29,312).

MINNESOTA JAILS AND POLICE LOCKUPS

In 1983, 4,163 juveniles were held in county jails and police lockups.

Of the total, 24% were juvenile females:

1983	County Facilities(Jails)	Police Lockups	Total
Males	2,337 (78%)	838 (72%)	3,175 (76%)
Females	666 (22%)	322 (28%)	988 (24%)
Totals	3,003	1,160	4,163

16% of females admitted to county jails in 1983 were arrested for serious violent and property crimes. 38% were arrested for status offenses. For juvenile males admitted to jails, 23% were arrested for serious violent and property crimes and 13% for status offenses.

60% of the females admitted to county jails were held for less than one day; another 26% were held less than 2 days; and only 14% were held longer than 2 days.

91% of the females admitted to police lockups were held for less than one day.*

Notes:

- * Rates based on 100,000 juveniles.
- * The jail data was generously provided by the Minnesota Department of Corrections.
- -Detention and training school data furnished by the U.S. Census Bureau: Children In Custody Series.
- -Arrest data furnished by the F.B.I.: Uniform Crime Report Series.
- -Funding for this research was provided by the Northwest Area Foundation and The Blandin Foundation.

Hubert H. Humphrey Institute of Public Affairs

909 Social Science Building
267 19th Avenue South
University of Minnesota
Minneapolis, MN 55455

Nonprofit Org.
U.S. Postage
PAID
Minneapolis, Minn.
Permit No. 155

THE ACLD-R&D PROJECT:
A STUDY INVESTIGATING THE LINK BETWEEN LEARNING DISABILITIES AND JUVENILE DELINQUENCY

EXECUTIVE SUMMARY

DOROTHY CRAWFORD
PROJECT DIRECTOR

ACLD-R&D PROJECT
PHOENIX, ARIZONA

JULY 1982

SUPPORTED BY GRANT NO. 76-JN-99-0021 AND 78-JN-AX-0022 FROM THE NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, U. S. DEPARTMENT OF JUSTICE. POINTS OF VIEW OR OPINIONS IN THIS PAPER ARE THOSE OF THE AUTHOR AND DO NOT NECESSARILY REPRESENT THE OFFICIAL POSITION OR POLICIES OF THE U. S. DEPARTMENT OF JUSTICE.

C. CONCLUSIONS AND RECOMMENDATIONS

I. CONCLUSIONS

Historical Summary: The remediation program was implemented to test the value of diagnosing and treating LD as a tool to prevent delinquency and/or as a rehabilitative treatment program. The ultimate purpose of the project was to provide information to assist in the development of informed policy with respect to learning disabilities and juvenile delinquency. The purpose of the remediation program was to create a vehicle (a) to measure the impact of remediation on the educational performance of school related attitudes of LD juvenile delinquents; and (b) to assess the effects of remediation on subsequent delinquency. The program model was based on the hypothesis that LD plus school failure plus social stress equals juvenile delinquency. Therefore, the remediation program had three major objectives for its sample population: (1) increase academic achievement; (2) change school attitudes; and (3) reduce delinquent activity.

The results of the effects of the remediation program and research data have been thoroughly documented in a series of reports by Broder and Dunivant. Two of the reports are: An Evaluation of the Effectiveness of the ACLD Remediation Program in Improving the Educational Achievement of Learning Disabled Juvenile Delinquents, National Center for State Courts, Williamsburg, Virginia, May 1981; and Preventing Delinquency Among Learning Disabled Juvenile Delinquents: Evaluation of the ACLD Remediation Program, National Center for State Courts, Williamsburg, Virginia, July 1981.

Some extremely important results of the remediation program and research data are now evident. First, the data indicate there is definitive evidence that LD youth engage in significantly more delinquent behavior than non-LD youth. Second, the school failure hypothesis was pretty much confirmed. Third, the remediation improved reading and arithmetic achievement test performance. The point of dramatic gains was where at least 55-65 hours of remediation had been received. Overall gains were found for written language expression skills. Remediation was most effective for younger delinquents with low performance ability and for older juveniles with high performance ability. The delinquents with high pre-test arithmetic achievement scores gained more than did those with low pre-test scores. Overall, the remediation program was more effective for the LD delinquents than the non-LD delinquents. Fourth, change in school attitude was minimal. Fifth, the remediation program participants evidenced in post-testing a significant decline in delinquent activity compared to the control group. There was a threshold effect when the juveniles received at least 35 hours of remediation. Finally, the program was conducted as designed.

The ACLD-R&D remediation program results indicate that certain academic intervention will rehabilitate LD delinquents. Additional results suggest that with early identification and the same type intervention future delinquency could be prevented among children with LD.

The conclusions are of significant import in relation to the continuing increase of juvenile crime; the incidence of LD in both officially non-delinquent and adjudicated delinquent populations; and the serious social and economic costs of crime which could be drastically reduced by appropriate remediation programs.

II. RECOMMENDATIONS

Remediation Program Recommendations:

Evaluate to determine specific learning disabilities and the adolescent's primary learning modality.

Develop individualized learning plans.

Develop a plan that focuses on the strengths of this modality, teach to the strength and not the weakness.

Develop a plan that allows for at least 50 hours of remediation work in a school year.

When possible, have remediation relate to school subjects and school activities.

Provide lots of structure. Design a highly structured environment for the youth.

Work in a neutral environment that is free of distractions.

Work in short 20-minute sessions rather than in longer blocks of time.

Design a variety of program modifications to the ACLD model such as social skills training, motivational development, vocational skills training and, where possible, work experience/on the job training.

Develop techniques to avoid teacher and student "burn-out."

Policy Recommendations

The establishment of adequate psychoeducational testing programs in the lower school grades in order to diagnose learning disabilities at the earliest possible age.

Provision of appropriate individualized programs in the school systems that will correct or minimize the problems of learning-disabled youngsters.

Demonstration, evaluation and refinement of the ACLD remediation model.

The development within court systems of clinical services which can detect learning-disabled children who have escaped earlier detection.

The development of inservice training programs for law enforcement, courts and institutional staff to detect learning disabilities and problems.

The development of uniform policy and programs between the educational and juvenile justice systems.

In sum, looking at our national school drop-out rate and recidivism rate in the juvenile justice system, we seem to be compounding failure rather than building on success. In short, the old attitudes, cliches, myths, and dogmas are not working. Clearly, we need to take a new look at those factors that lead youth into trouble, failure, and an ever-increasing drain on their collective potential and on society's ability to foot the costs.

To effectively serve the LD youth, there must be a combined cooperative effort of staff and public officials who can create, implement, conduct, and fund an appropriate service delivery program for this high risk group of youth.

IN THE FOREFRONT:

REMOVAL OF JUVENILES FROM ADULT JAILS

Illinois Department of Children and Family Services
Division of Youth and Community Services
Juvenile Justice Section

July, 1983

STATE OF ILLINOIS

GREGORY L. COLER
DIRECTOR

**DEPARTMENT OF
CHILDREN AND FAMILY SERVICES**

ONE NORTH OLD STATE CAPITOL PLAZA
SPRINGFIELD, ILLINOIS 62706

July, 1983

The Juvenile Justice and Delinquency Prevention Act requires participating states to develop alternatives to jail for delinquents being held in county jails and municipal lock-ups by FFY 1985. This report summarizes the history of the "removal amendment", describes the juveniles who are being held in jails nationally and in Illinois and discusses options for addressing these youth while also meeting the needs of their communities.

The material which is presented should be viewed more as an introduction than a definitive work. A list of references is appended for those who wish additional information. Interested persons should also feel free to contact a member of the Department's Division of Youth and Community Services at (312) 793-7100.

Thank you.

Sincerely,

Gregory L Coler

Gregory L. Coler

NO JUVENILES IN ADULT JAILS

WHEN THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT WAS REAUTHORIZED IN 1980 AN AMENDMENT WAS PASSED WHICH ADDED A NEW SECTION, 223(A)(14), TO THE ACT. THIS SECTION REQUIRES THAT EACH STATE IN ITS ANNUAL PLAN:

> "PROVIDE THAT, BEGINNING AFTER THE 5-YEAR PERIOD FOLLOWING THE DATE OF THE ENACTMENT OF THE JUVENILE JUSTICE AMENDMENTS OF 1980, NO JUVENILE SHALL BE DETAINED OR CONFINED IN ANY JAIL OR LOCKUP FOR ADULTS, EXCEPT THAT THE ADMINISTRATOR SHALL PROMULGATE REGULATIONS WHICH (A) RECOGNIZE THE SPECIAL NEEDS OF AREAS CHARACTERIZED BY LOW POPULATION DENSITY WITH RESPECT TO THE DETENTION OF JUVENILES; AND (B) SHALL PERMIT THE TEMPORARY DETENTION IN SUCH ADULT FACILITIES OF JUVENILES ACCUSED OF SERIOUS CRIMES AGAINST PERSONS, SUBJECT TO THE PROVISIONS OF PARAGRAPH (13), WHERE NO EXISTING ACCEPTABLE ALTERNATIVE PLACEMENT IS AVAILABLE;"

A NEW PARAGRAPH WAS ALSO ADDED TO SECTION 223(c) TO PROVIDE THAT:

> "FAILURE TO ACHIEVE COMPLIANCE WITH THE REQUIREMENTS OF SUBSECTION (A)(14) WITHIN THE 5-YEAR TIME LIMITATION SHALL TERMINATE ANY STATE'S ELIGIBILITY FOR FUNDING UNDER THIS SUBPART, UNLESS THE ADMINISTRATOR DETERMINES THAT (1) THE STATE IS IN SUBSTANTIAL COMPLIANCE WITH SUCH REQUIREMENTS THROUGH THE ACHIEVEMENT OF NOT LESS THAN 75 PERCENT REMOVAL OF JUVENILES FROM JAILS AND LOCKUPS FOR ADULTS; AND (2) THE STATE HAS MADE, THROUGH APPROPRIATE EXECUTIVE OR LEGISLATIVE ACTION, AN UNEQUIVOCAL COMMITMENT TO ACHIEVING FULL COMPLIANCE WITHIN A REASONABLE TIME, NOT TO EXCEED TWO ADDITIONAL YEARS."

NATIONAL OVERVIEW OF JUVENILES IN ADULT JAILS

A 1976 survey conducted by the Children's Defense Fund, Children in Adult Jails, estimated that 500,000 juveniles were held in adult jails in the United States during 1975. Precise national information on the numbers and characteristics of those youth held were, and are, unavailable because of different definitions of "juvenile" used by various states, differences in sample sizes and the confidentiality of juvenile records. In addition, facilities holding persons less than two days, such as Illinois' 252 municipal lock-ups,were not polled in the survey. Of the 500,000 youth identified in the survey it was estimated that approximately:

- 9% were charged with committing crimes against persons;
- 18% were status offenders;
- 4% had committed no crime;
- 9% were 13 years or younger;
- 83% were male, 17% were female;
- 81% were white, 19% were non-white.

The U. S. Department of Justice, Bureau of Justice Statistics, completes a periodic census of the nation's "local jails". This census consists of a one-day poll that profiles the country's jail population. The results of the last three census are listed below:

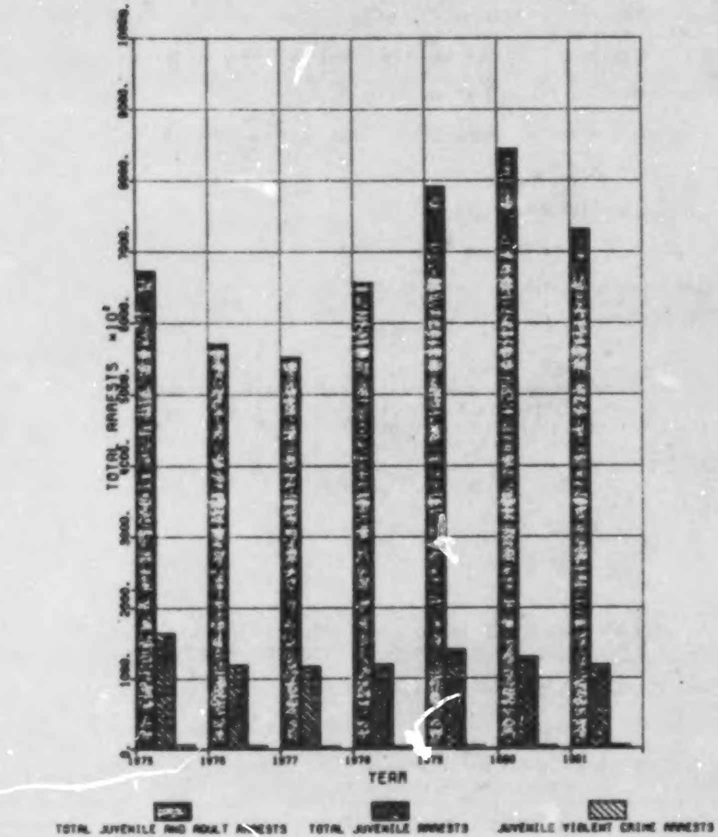
Date Census Conducted	Number of Juveniles Jailed
March 15,1970	3,857
February 15,1978	1,611
June 30,1982	1,729

These results indicate a rise in the number of juveniles held in adult jails over the last four years. This increase is even more dramatic when one considers the success of the movement to deinstitutionalize status offenders. (Illinois has been successful in "removing" or deinstitutionalizing status offenders from all secure facilities.) That is, the 1975 and 1978 figures include status offenders in the number of juveniles detained in adult jails; since most states have met the deinstitutionalization mandate since 1975, the 1982 total should not include a significant number of status offenders. It therefore seems reasonable to infer that jailing of juveniles is on the rise - while the rate of juvenile crime between 1975 and 1981 showed a steady or declining pattern (See Figure 1).

FIGURE 1

ILLINOIS ADULT AND JUVENILE ARRESTS: 1975-81

FIGURES INCLUDE 10 TO 17 YEAR
OLDS. FIGURES DO NOT INCLUDE 17
YEAR OLDS DETAINED AS ADULTS.



ILLINOIS
CRIMINAL JUSTICE INFORMATION AUTHORITY

Aside from the large numbers of youths for whom detention in an adult facility is obviously inappropriate, the need to remove juveniles from adult jails (and municipal lock-ups) is underscored by the conditions of the jails themselves. The National Coalition for Jail Reform, in a bulletin entitled "Facts about America's Jails," reported that:

- There are 3,493 jails in the U.S., 2,900 of which are operated by counties with the remaining 593 run by municipalities (no estimate is available of the number of lock-ups in the U.S.);
- 35% are more than 50 years old;
- 55% of all jail space is rated as maximum security, though only 30% of all inmates are charged with serious crime;
- 77% have no rehabilitation or treatment services;
- 11% are under court order to improve jail conditions;
- 20% of the jails are involved in a pending lawsuit for overcrowded conditions, lack of recreational programs, outdated facilities and inadequate medical care.

The reasons for jailing juveniles pale even more in the light of other arguments which support removal of delinquents from adult jails as summarized below.

REASONS FOR JAILING	SUPPORT FOR REMOVAL
Prevent juveniles from committing further delinquent acts.	Further delinquent acts may be prevented for the time a youth is jailed. There is no assurance that future delinquent acts will be prevented. Further, a 1982 U.S. Circuit Court of Appeals decision held that "crime prevention" is not an adequate justification for detaining a juvenile.
Protect juveniles from a harmful home environment where they may become victims of child or sexual abuse.	The harm resulting from holding a juvenile, the victim of a crime, in a secure setting (frequently in isolation in a drunk tank or padded cell) may outweigh the psychological or physical harm of abuse. Other less drastic measures, which are supportive of the youth, should be utilized.

REASONS FOR JAILING	SUPPORT FOR REMOVAL
Assure the appearance in court of those youth who are likely to flee the jurisdiction or just not show for a court hearing.	A federal judge ruled in 1982 that jailing a juvenile who is alleged to have committed a crime in an adult jail was a violation of that child's rights under the Fourteenth Amendment. According to studies done by the Community Research Forum, when youth are properly screened based on offense and history, only a very small percentage fail to appear for the court hearing.
Protect juveniles from doing harm to themselves or from becoming victims of others.	Twelve out of every 100,000 juveniles held in adult jails commit suicide. This figure is 8 times the suicide rate for juveniles in detention centers and 5 times the suicide rate of juveniles in the general population.
Teach the juvenile a lesson.	Research shows that incarcerating youths does not deter delinquency and may, given recidivism rates, actually promote delinquency. Further, jails do not provide the specialized education and treatment services needed by youth.
Help parents who are claiming to have problems controlling their children.	Other, more appropriate alternatives are available to parents who are having problems with their children. Rather than trying to "fix" a youth, these programs engage all members of the families in addressing the presenting problem.

REASONS FOR JAILING	SUPPORT FOR REMOVAL
Save money. It's cheaper than sending a youth to a specialized juvenile secure facility.	Since only 10% of the juveniles presently being detained have committed crimes against persons, most youth can be effectively dealt with in community-based services without jeopardizing the safety of the community. The American Justice Institute estimates that merely jailing a juvenile without providing the necessary services costs $24 per day. Community alternatives range from $14 per day for home detention to $17 per day for small group and attention homes. Secure detention in a juvenile center with full services costs $61 per day.
Protect the community from being victimized by the acts of juveniles who have a history of committing serious offenses.	Studies indicate that juveniles charged with violent offenses to persons generally account for less than 10% of all juveniles in jails and 4% of all juveniles who are arrested.

PASSAGE OF SEC. 223(a)(14)

The number of children in jails and the consequences of their jailing were much discussed by Congress prior to the passage of Sec. 223(a)(14). Thus the intent of the removal amendment is well documented in the discussions preceding its adoption:

- Removal of juveniles from adult jails and lock-ups was first discussed in a hearing on reauthorization of the JJDPA before the Subcommittee on Human Resources of the House Education and Labor Committee. Deputy Attorney General Charles Renfrew strongly recommended the amendment in his remarks:

  > "It has long been recognized, Mr. Chairman, that children require special protections when they come into contact with the criminal justice system . . . One area where we have failed to provide the necessary protection, is the placement of juveniles in adult jails and lock-ups. . . . Perhaps the general lack of public awareness and low level of official action is due to a low level of visibility of juveniles in jails -- but they are there."[1]

- The House Education and Labor Committee clarified the definition of adult jails and lock-ups in its report to the full House:

> "For the purposes of this provision, a jail for adults is defined as a locked facility, administered by state, county, or local law enforcement and correctional agencies, the purpose of which is to detain adults charged with violating criminal law, pending trial. Also considered as adult jails are those facilities used to hold convicted adult criminal offenders sentenced for less than one year. The new provision is intended to require the removal of juveniles from such facilities. A lock-up for adults is similar to a jail for adults except that it is generally a municipal or police facility of a temporary nature which does not hold persons after they have been formally charged."[2]

The Committee indicated that the intent of the amendment was not to prohibit secure detention for juvenile delinquent offenders but only to prohibit their detention in adult jails and lock-ups.

Juveniles formally waived or transferred to criminal court were excluded by the Committee from Section 223(a)(14). It qualified this exception by stating that " . . . the new provision is not intended to encourage increased waivers of juveniles to criminal court, a decrease in the age of original or concurrent criminal court jurisdiction, or a lowering of the age of juvenile court jurisdiction for specific categories or classes of offenses committed by juveniles."[3] It was also reiterated that any juvenile held in an adult facility, as a result of transfer, was to be kept "sight and sound" separate in accordance with Sec. 223(a)(13) of the Act.

The Committee spoke to the implementation of the removal provision stating that it expected a "rule of reason" to be followed:

> "For example, it would be permissible for OJJDP to permit temporary holding in an adult jail or lock-up by police of juveniles arrested for committing an act which would be a crime if committed by an adult for purposes of identification, processing, and transfer to juvenile court officials or juvenile shelter or detention facilities. Any such holding of juveniles should be limited to the absolute minimum time necessary to complete this action, not to exceed six hours, but in no case overnight. Section 223(a)(13) would prohibit such juveniles who are delinquent offenders from having contact with adult offenders during this brief holding period."[4]

SUPPORT FOR REMOVAL

National support for the removal amendment developed quickly. The President of the National Council of Juvenile and Family Court Judges testified that the first priority of the JJDPA "ought to be to get children out of jails." The 36 member National Coalition for Jail Reform adopted a policy that, "No juveniles should be held in adult jails." Members of the Coalition, which has remained active in the nationwide removal effort, are:

- American Bar Association
- National Street Law Institute
- American Correctional Association
- National Sheriffs Association
- American Jail Association
- National Legal Aid and Defender Association
- John Howard Association
- National Council on Crime and Delinquency
- National Association of Counties
- National League of Cities
- National Criminal Justice Association

In addition, the following groups have supported removal and/or have performed significant volunteer service to assist in removing juveniles from adult jails:

- Children's Defense Fund
- Council of Jewish Women
- Boys Clubs of America
- Jaycees
- League of Women Voters
- Kiwanis
- Association of Junior Leagues

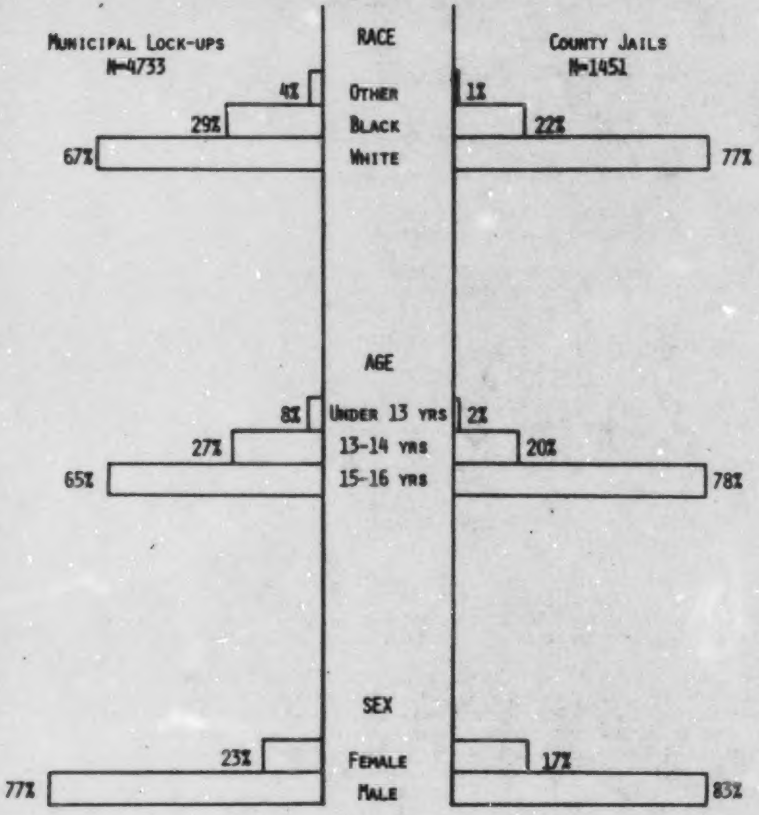
JUVENILES IN ILLINOIS JAILS

Illinois law permits the detention of juveniles in municipal lock-ups and county jails. Further, state standards for detention of juveniles in county jails permit the holding of delinquents under 16 years in "locked rooms." At least 12 counties are holding youths pursuant to this standard.

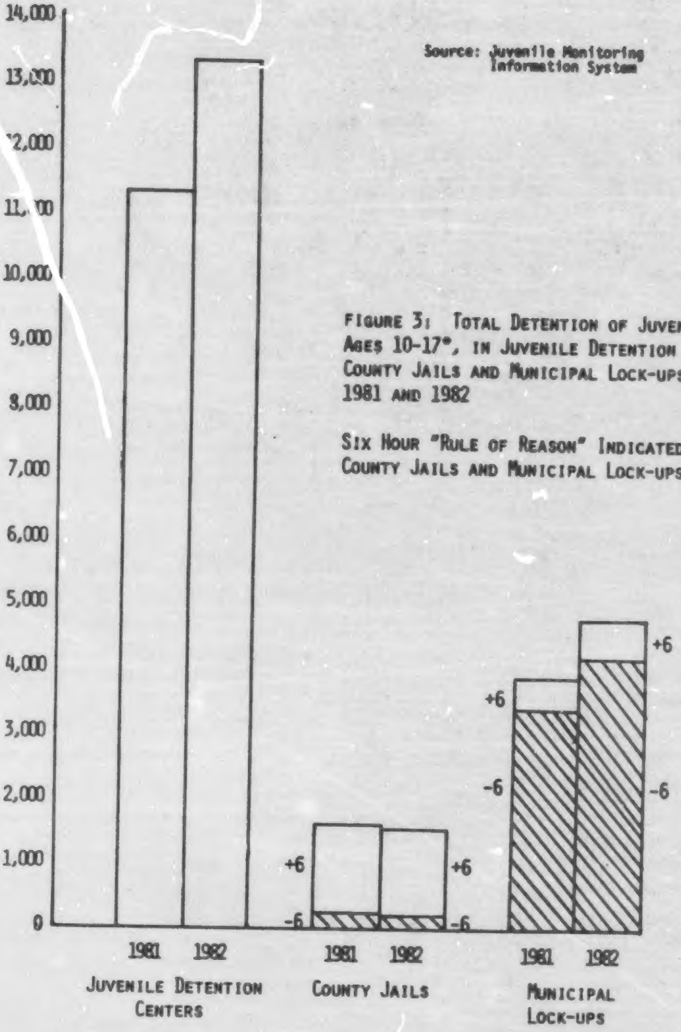
The general characterstics of juveniles held in Illinois' 252 municipal lock-ups and 90 county jails during 1982 are summarized in Figure 2. It shows that, while any youth may be detained in a jail, those who are most often tend to be male and between 15 and 16 years of age. While white youth are more frequently detained than black youth, blacks, which represent 14.6% of Illinois' total population, are over-represented in the detained population.

Although only 1451 of the 6184 juveniles held in Illinois' adult jails and lock-ups were held in county jails, 1291 (89%) of these youth remained over 6 hours (See Figure 3). As shown below, this sharply contrasts with municipal lock-up practice, where 4146 (88%) of the youth are released in less than six hours, and suggests that initial efforts to effect the removal

FIGURE 2: CHARACTERISTICS OF YOUTH DETAINED FOR ALL OFFENSES IN ILLINOIS' COUNTY JAILS AND MUNICIPAL LOCK-UPS: 1982



Source: Juvenile Monitoring Information System

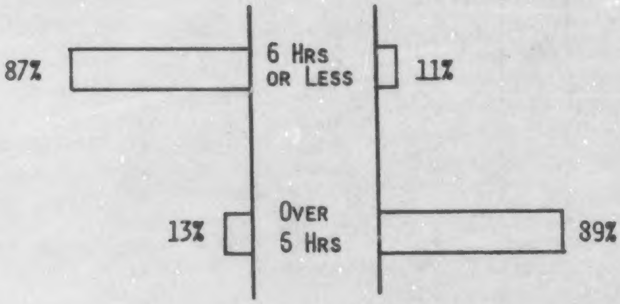


Source: Juvenile Monitoring Information System

FIGURE 3: TOTAL DETENTION OF JUVENILES, AGES 10-17*, IN JUVENILE DETENTION CENTERS, COUNTY JAILS AND MUNICIPAL LOCK-UPS: 1981 AND 1982

SIX HOUR "RULE OF REASON" INDICATED FOR COUNTY JAILS AND MUNICIPAL LOCK-UPS of juveniles from jails should be concentrated on those county facilities which are holding the most youth.

LENGTH OF DETENTION



Given the 6 hour "rule of reason" such an approach seems most likely to enable Illinois to demonstrate a 75% decrease in the numbers of alleged or adjudicated delinquents detained by the beginning of FFY 1985, the date set for compliance with Sec. 223(a)(14).

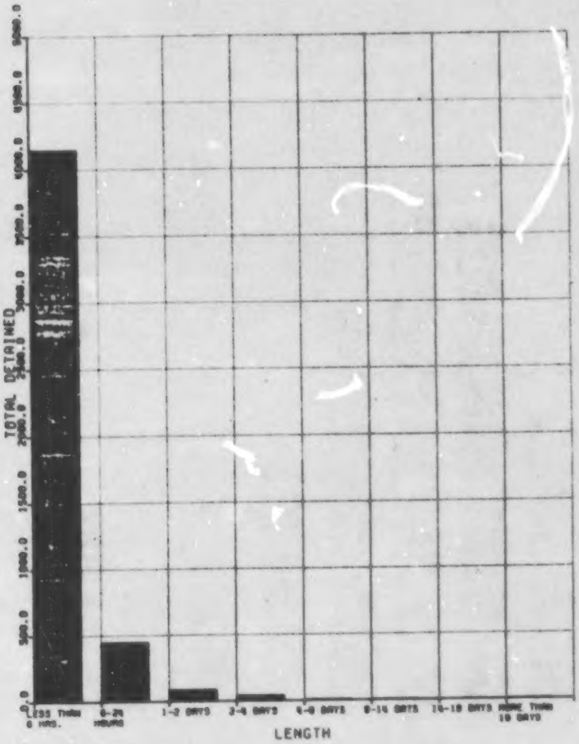
It should be noted, too, that while this report focuses on those alleged or adjudicated delinquents being held in municipal lock-ups and county jails, approximately 13,000 alleged or adjudicated delinquents are held annually in Illinois' thirteen detention centers. The holding of these youth does not jeopardize Illinois' compliance with Sec. 223(a)(14). This does not mean, however, that many of these 13,000 youth might be addressed as effectively in a non-secure setting.

The number of juveniles held for selected offense categories by the length of time they were held in county jails in 1982 is included in Table 1. Table 2 depicts similar information for municipal lock-ups. An analysis of these tables indicates that:

- While 88% of the juveniles held in municipal lock-up less than 6 hours (See Figure 4),only 12% of the juveniles detained in county jails are released in that time. 14% of the youths detained in county jails remain there over two weeks (See Figure 5).
- 25% of the youth detained in county jails are held for a relatively minor charge (See Figure 6). All of these youths could be served by community-based programs.

FIGURE 4
DETENTION LENGTH FOR JUVENILES IN MUNICIPAL LOCKUPS

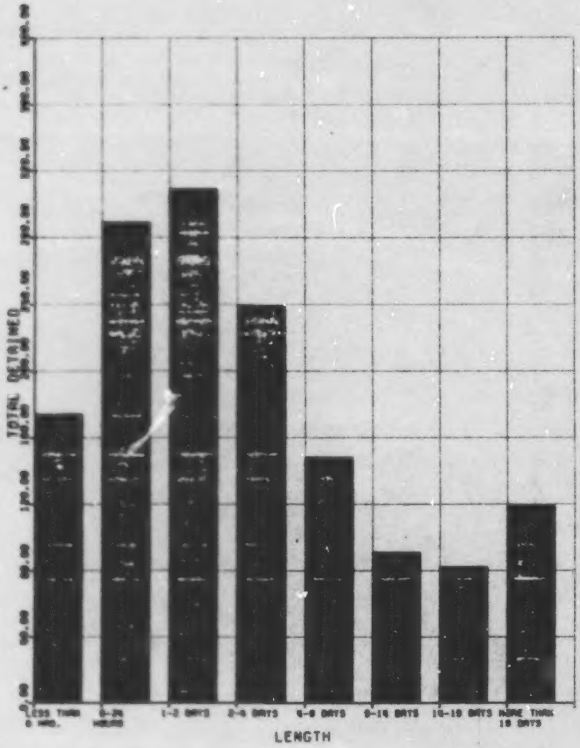
FIGURES INCLUDE 10 TO 17 YEAR OLDS. FIGURES DO NOT INCLUDE 17 YEAR OLDS DETAINED AS ADULTS.



ILLINOIS
CRIMINAL JUSTICE INFORMATION AUTHORITY

FIGURE 5
DETENTION LENGTH FOR JUVENILES IN COUNTY JAILS: 1982

FIGURES INCLUDE 10 TO 17 YEAR OLDS. FIGURES DO NOT INCLUDE 17 YEAR OLDS DETAINED AS ADULTS.



ILLINOIS
CRIMINAL JUSTICE INFORMATION AUTHORITY

- Half of the youth detained in county jails are held pursuant to some sort of court action - a warrant was issued for their arrest, a court order has been violated, some youths have been sentenced to weekends, other youths were detained for another jurisdiction or the Department of Corrections (See Figure 6 and Table 1).

- 91% of the youths held in county jails are detained because of offenses other than crimes against persons. Many, if not most, of these youth could be programmed for in the community - thereby either greatly reducing or eliminating the need for housing these youth in a secure facility (see Figure 7).

- 61% of the youth held in municipal jails over 6 hours were being held for minor offenses or status or non-offenses and could have been dealt with effectively in community-based alternatives (See Figure 8 and Table 2.)

- Of interest, and consistent with research on youth involved with the juvenile justice system, is the disproportionate number of black youths detained for committing a serious offense against a person - 36.8% of the juveniles in municipal jails in 1982 and 36.5% of the juveniles held in county jails in 1982. This finding will be more closely analyzed on a site-by-site basis as program development is undertaken.

Given the nature of the offenses with which youth are charged, it seems reasonable to assume, pending on-site assessment, that many of the youth who are presently held in municipal lock-ups and county jails might have instead been referred to community-based programs. Those youths who require secure detention for their safety or that of the community may be referred to nearby detention centers or other staff-intensive programs which have been developed to meet the needs of these youth. To achieve these ends staff follow a six-step process:

- Sites where youth are being held in jails are identified and a profile of the youth in detention by site developed.

- Staff visit selected counties and work with key actors (judge, states attorney, sheriff, probation staff, police, local government officials) to determine which youth in detention must be held in a secure facility and which youth in detention could be referred to and addressed by a community-based program or no program at all.

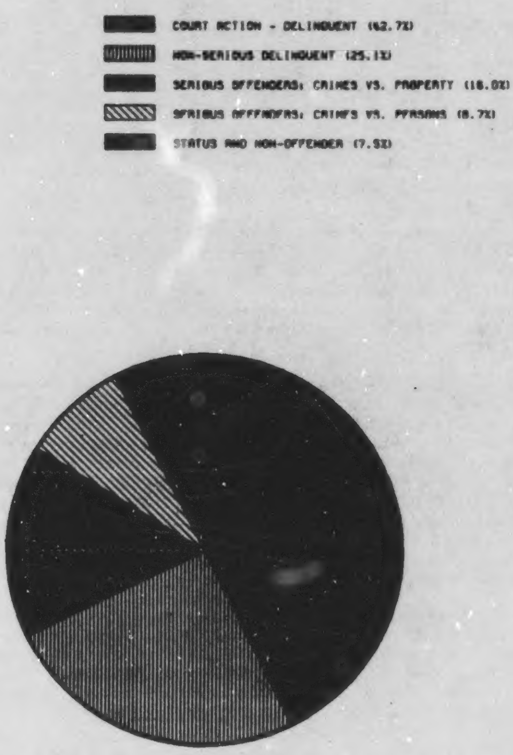
- Existing community resources are identified - screening units, secure detention facility such as a detention center, alternative programs for delinquent youth.

- If no resources exist to address these youth, program development is undertaken to frame and gain support for a project which will meet the needs of the youth who would otherwise be detained and

FIGURE 6

JUVENILES DETAINED IN COUNTY JAILS: 1982

FIGURES INCLUDE 10 TO 17 YEAR
OLDS. FIGURES DO NOT INCLUDE 17
YEAR OLDS DETAINED AS ADULTS.



ILLINOIS
CRIMINAL JUSTICE INFORMATION AUTHORITY

TABLE 1: JUVENILES, AGES 10-17*, DETAINED IN ILLINOIS' COUNTY JAILS BY OFFENSE TYPE AND LENGTH OF DETENTION: 1982

LENGTH OF DETENTION / OFFENCE TYPE	6 HRS. OR LESS	6-24 HRS	1-2 DAYS	2-4 DAYS	4-9 DAYS	9-14 DAYS	14-19 DAYS	OVER 19 DAYS	TOTAL
SERIOUS OFFENSE AGAINST PERSON [5]	7	33	20	16	11	5	12	22	126
SERIOUS OFFENSE AGAINST PROPERTY [6]	22	47	26	42	22	21	21	31	232
COURT ACTION - DELINQUENCY [7]	31	87	183	131	71	45	27	45	620
NON-SERIOUS DELINQUENCY [8]	100	95	52	37	34	15	15	16	364
OTHER [9]	14	27	28	13	10	5	7	5	109
TOTAL	174	289	309	239	148	91	82	119	1451

Source: Juvenile Monitoring Information System

FIGURE 7

Juveniles Detained in County Jails: 1982

Figures include 10 to 17 year olds.

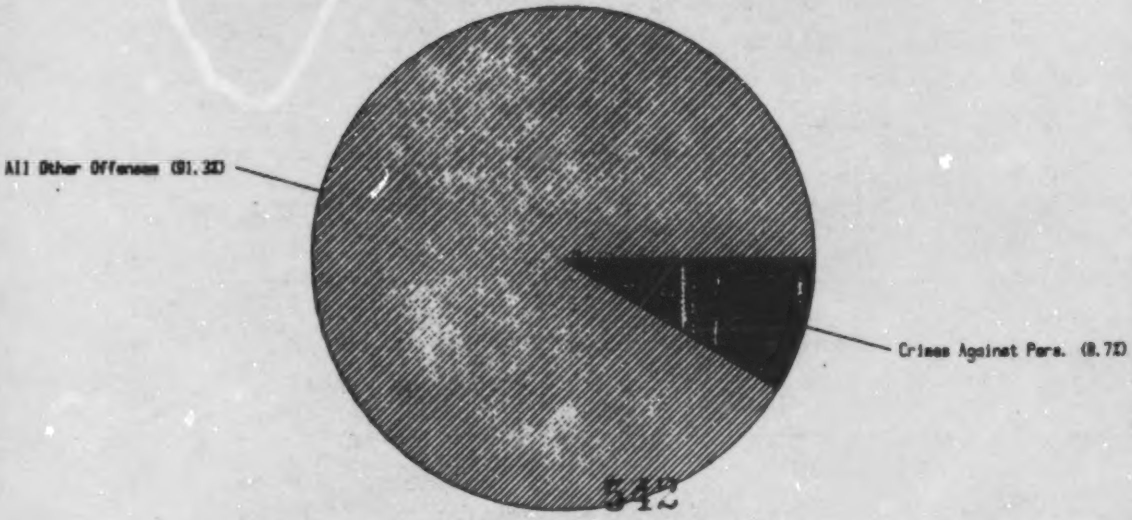


TABLE 2: JUVENILES, AGES 10-17*, DETAINED IN MUNICIPAL LOCK-UPS BY OFFENSE TYPE AND LENGTH OF DETENTION: 1982

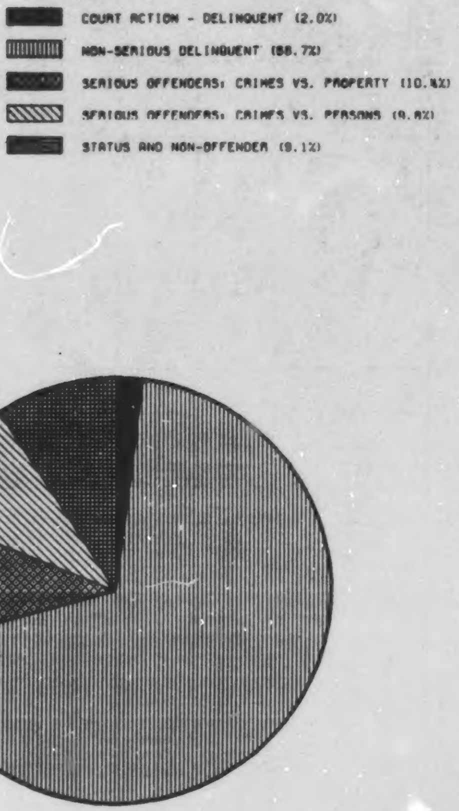
OFFENSE TYPE \ LENGTH OF DENTENTION	6 HRS. OR LESS	6-24 HRS.	1-2 DAYS	2-4 DAYS	4-9 DAYS	9-14 DAYS	14-19 DAYS	OVER 19 DAYS	TOTAL
SERIOUS OFFENSE AGAINST PERSON [5]	393	52	11	7	1	0	0	1	465
SERIOUS OFFENSE AGAINST PROPERTY [6]	374	90	17	10	1	0	0	0	492
COURT ACTION DELINQUENCY [7]	56	20	8	6	1	2	0	0	93
NON-SERIOUS DELINQUENCY [8]	2955	227	45	15	3	2	0	2	3249
OTHER [9]	363	58	4	1	2	1	0	0	434
TOTAL	4146	447	85	39	8	5	0	3	4733

Source: Juvenile Monitoring Information System

FIGURE 8

JUVENILES DETAINED IN MUNICIPAL JAILS: 1982

FIGURES INCLUDE 10 TO 17 YEAR
OLDS. FIGURES DO NOT INCLUDE 17
YEAR OLDS DETAINED AS ADULTS.

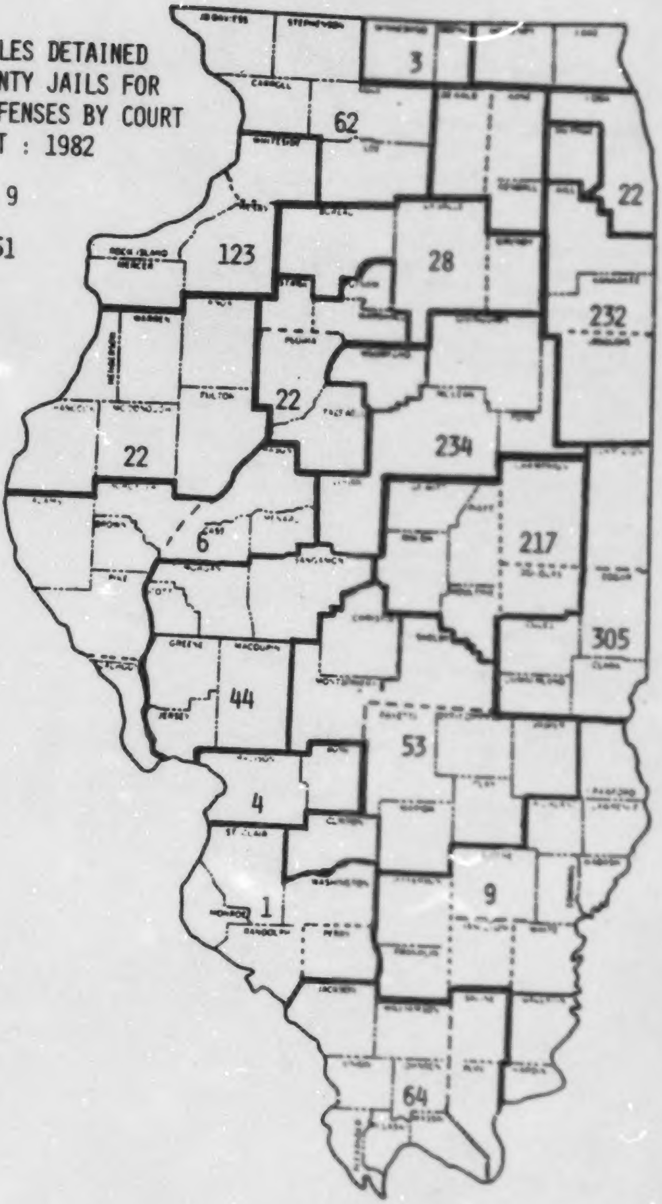


ILLINOIS
CRIMINAL JUSTICE INFORMATION AUTHORITY

JUVENILES DETAINED IN COUNTY JAILS FOR ALL OFFENSES BY COURT CIRCUIT : 1982

FIGURE 9

N = 1451


3
62
22
123
28
232
22
234
22
217
6
305
44
53
4
9
1
64

maintain the safety of the community.

- Working agreements are developed among the key actors to assure a common understanding of their roles and mutual expectations.

- Programs are monitored on-site and through monthly progress, evaluation, and Juvenile Monitoring Information System reports.

POSSIBLE REMOVAL PROGRAM SITES

When the number of juveniles detained in county jails is plotted on a map of the state, the number of court circuits which are potential program sites is narrowed (See Figure 9). Categorizing circuit totals by type of offense further defines the population to be assessed; and addressed on-site by estimating the number of youths in the circuit who may require some form of secure detention (See Figure 10 and Table 1).

CURRENT PROGRAMMING EFFORTS TO EFFECT REMOVAL

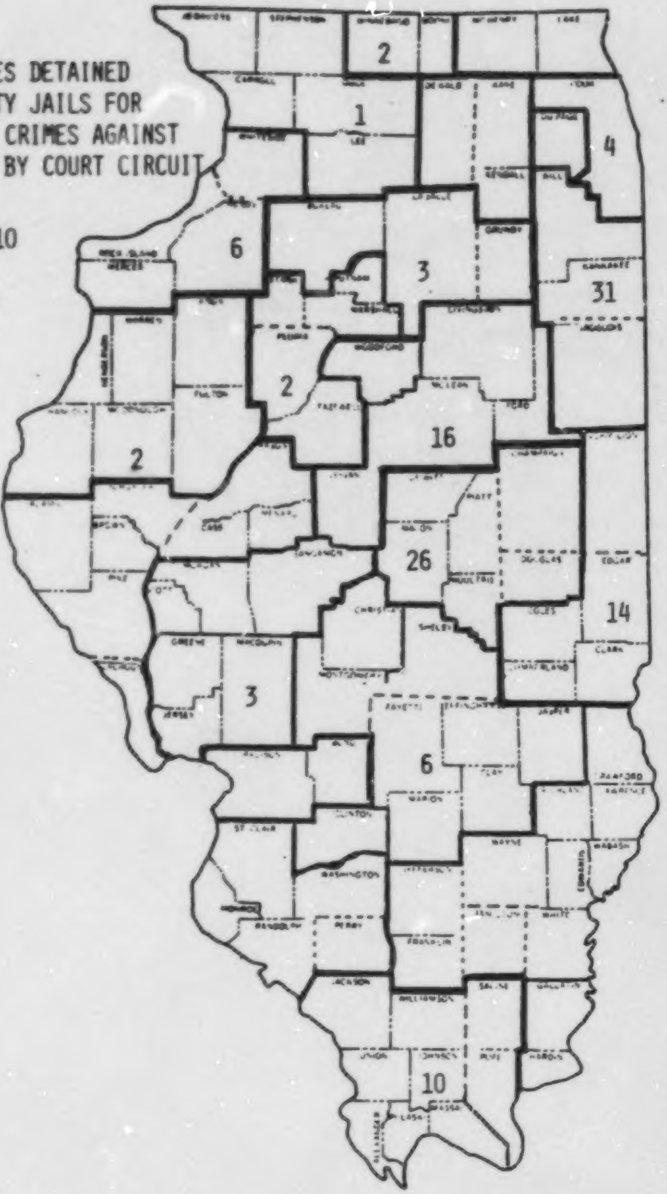
Alternatives to detention are already under development in those counties which have a history of detaining significant numbers of delinquent youth. These alternatives will divert all but the most serious youth to community-based programs. Other options will need to be developed for that residual population of youth who must be held, for their own protection or that of the community, in a secure place.

On-site interviews with key actors in the juvenile justice system clarify impressions gleaned through data analysis. These interviews confirm or negate the need for alternative services. They also bring to light any factors which may be influencing detention practices in the community and enable a more precise definition of the population in need of service.

Concept papers have already been accepted by the Department of Children and Family Services, approved by the Director and the Illinois Juvenile Justice Commission and applications for funding invited from:

- Kankakee County: An application for funding of crisis intervention services and a juvenile intake screening unit has been received and is being processed. It is anticipated that this program, by using community services and foster homes instead of detention, will provide an alternative to detention for delinquents in the county.

- Macon County: An application for funding of a public service/restitution project for 80-100 juveniles adjudicated or placed on supervision for property crimes has been awarded. This project should not only address Macon's problem with serious offenders but its need for alternatives to detention for delinquents as well.


2
1
4
6
3
31
2
16
2
26
14
3
6
10

JUVENILES DETAINED IN COUNTY JAILS FOR SERIOUS CRIMES AGAINST PERSONS BY COURT CIRCUIT 1982

FIGURE 10

N = 126

- **Vermilion County:** An application has been received to fund counseling and educational support services to court-referred delinquent youth. It is anticipated that this program will provide the court with an alternative to detention. Additional programming may be warranted if detention continues at a high level.

- **Whiteside County:** An application for funds to recruit and train foster homes for delinquents has been awarded. It is anticipated that these homes will provide an alternative for youths who would otherwise be detained.

All program development efforts to date have been directed toward Illinois' achieving 75% compliance with Sec. 223(a)(14). Yet to be undertaken is program development for those youth who must be held in a physically secure or staff-secure setting.

SUPPLEMENTAL FIGURES AND TABLES

Figure A: Juveniles Detained for all Offenses In Illinois' County Jails and Municipal Lock-ups by Age and Sex : 1982

Figure B: Juveniles Detained in Municipal Lock-ups by Age and Sex : 1982

Figure C: Juveniles Detained in County Jails by Age and Sex : 1982

Table A: Juveniles Ages 10-17 Detained in County Jails and Municipal Lock-ups by Sex, Offense and Facility Type : 1981 and 1982

Table B: Juveniles Ages 10-17 Detained for all Offenses in Illinois' County Jails and Municipal Lock-ups by Sex and Race : 1982

Table C: Juveniles Ages 13-16 Deatined for Serious Crimes Against Persons and Property in Illinois by Facility Type : 1981 and 1982

FIGURE A : JUVENILES DETAINED FOR ALL OFFENSES IN ILLINOIS' MUNICIPAL LOCK-UPS AND COUNTY JAILS BY AGE AND SEX: 1982

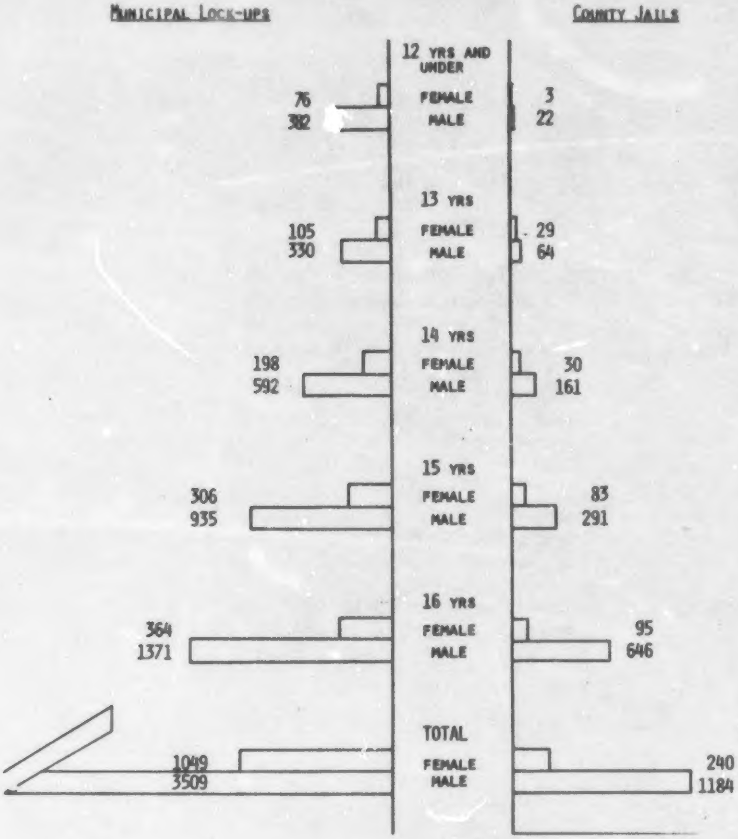
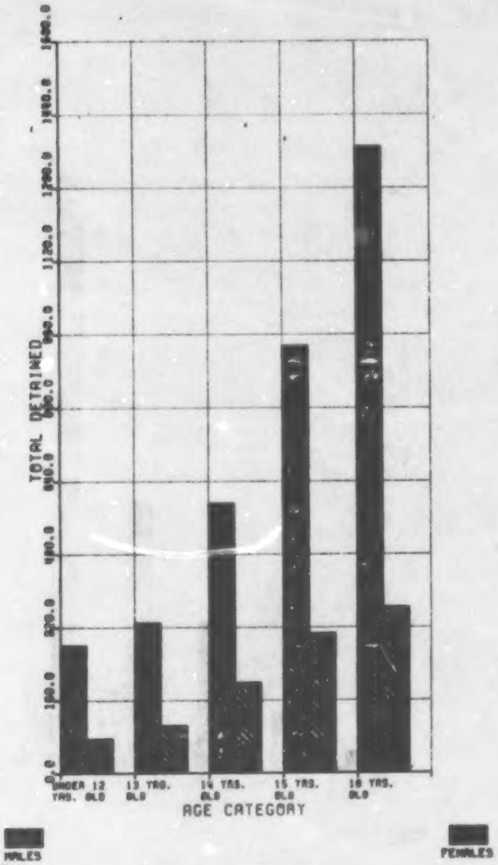


FIGURE 8

JUVENILES DETAINED IN MUNICIPAL LOCKUP: BY AGE & SEX

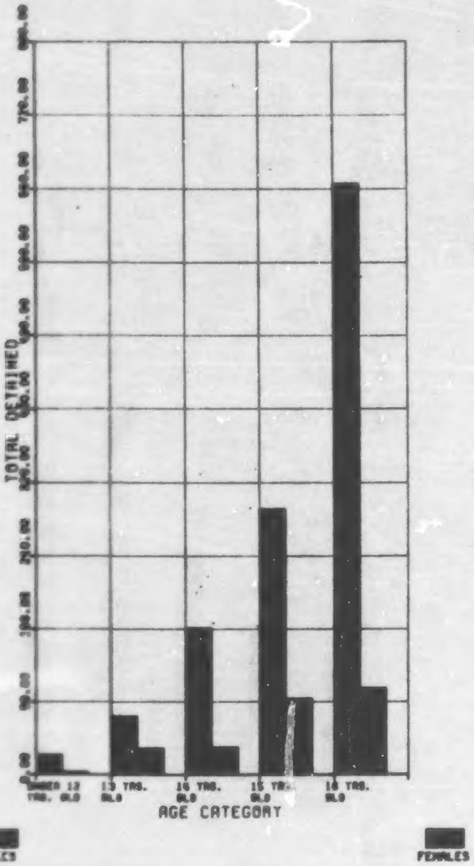
FIGURES INCLUDE 10 TO 17 YEAR
OLDS. FIGURES DO NOT INCLUDE 17
YEAR OLDS DETAINED AS ADULTS.



ILLINOIS
CRIMINAL JUSTICE INFORMATION AUTHORITY

FIGURE C
JUVENILES DETAINED IN COUNTY JAILS: BY AGE AND SEX

FIGURES INCLUDE 10 TO 17 YEAR
OLDS. FIGURES DO NOT INCLUDE 17
YEAR OLDS DETAINED AS ADULTS.



ILLINOIS
CRIMINAL JUSTICE INFORMATION AUTHORITY

OFFENSE TYPE	MALE								FEMALE							
	Municipal		County		Detention		TOTAL		Municipal		County		Detention		TOTAL	
	'81	'82	'81	'82	'81	'82	'81	'82	'81	'82	'81	'82	'81	'82	'81	'82
SERIOUS OFFENSES AGAINST PERSONS	264	408	131	111	2909	3654	3304	4173	46	57	19	15	328	419	412	491
SERIOUS OFFENSES AGAINST PROPERTY	431	459	327	223	2329	2434	3087	3117	35	33	29	9	145	122	209	164
NON-SERIOUS PROPERTY OFFENSES	955	1271	173	155	1405	1660	2533	3086	289	446	41	16	259	303	589	765
MISCELLANEOUS DELINQUENCY	701	809	133	84	626	811	1460	1704	124	140	25	23	153	183	302	346
VIOLATION OF LOCAL ORDANANCES	329	365	59	36	18	32	465	443	104	105	18	15	11	21	133	141
STATUS OFFENSES	179	170	17	24	2	2	198	196	243	234	18	12	1	3	262	249
COURT ACTION-DELINQUENCY	54	80	324	510	2913	3249	3291	3849	8	13	56	110	448	530	512	653
COURT ACTION-MINS	13	11	35	33	57	124	105	168	3	9	35	40	66	164	104	213
NON-OFFENSES	11	5	19	16	1	0	31	21	13	5	2	2	0	1	15	8
UNKNOWN	66	93	1	14	19	22	86	129	15	20	0	3	4	12	19	35

'81 / '82

TABLE A : JUVENILES, AGES 10-17*, DETAINED IN COUNTY JAILS AND MUNICIPAL LOCK-UPS BY SEX, OFFENSE AND FACILITY TYPE : 1981 AND 1982

Source: Juvenile Monitoring Information System

FACILITY TYPE SEX RACE	MALE			FEMALE		
	WHITE	BLACK	OTHER	WHITE	BLACK	OTHER
COUNTY JAILS	916 76.0%	275 22.8%	15 1.3%	210 85.8%	33 13.3%	2 .8%
MUNICIPAL LOCK-UPS	2517 68.6%	997 27.2%	157 4.2%	678 63.8%	351 33.1%	33 3.1%

TABLE B: JUVENILES AGES 10-17* DETAINED FOR ALL OFFENSES IN ILLINOIS' COUNTY JAILS AND MUNICIPAL LOCK-UPS BY SEX AND RACE: 1982

Source: Juvenile Monitoring Information System

FACILITY TYPE	'81 / '82	CRIMES AGAINST PERSONS				CRIMES AGAINST PROPERTY			
		13 YRS.	14 YRS.	15 YRS.	16 YRS.	13 YRS.	14 YRS.	15 YRS.	16 YRS.
MUNICIPAL LOCK-UPS	'81	29	57	70	121	61	73	132	166
	'82	34	81	117	177	44	91	124	185
COUNTY JAILS	'81	7	18	35	83	30	57	101	160
	'82	6	24	27	66	12	27	66	125
DETENTION CENTERS	'81	234	552	1001	1305	250	477	708	855
	'82	317	716	1299	1504	248	427	745	966
TOTAL	'81	270	627	1106	1509	341	607	941	1181
	'82	357	821	1443	1747	304	545	935	1276

TABLE C: Juveniles, Ages 13-16, Detained for Serious Crimes Against Persons and Property in Illinois' by Facility Type: 1981 and 1982

NOTES

1. Testimony of Deputy Attorney General Charles Renfrew to the Subcommittee on Human Resources of the House Education and Labor Committeem March 19,1980.

2. Ibid.

3. Ibid.

4. Ibid.

5. "Serious Crimes Against Persons" includes all murder and attempted murder, rape and attempted rape, all robbery and attempted robbery, all battery, all aggravated assault and simple assault, unlawful use of a weapon, deviate sexual assault, indecent liberties with a child, intimidation, kidnapping and aggravated kidnapping.

6. "Serious Offenses Against Property" includes burglary and attempted burglary, burglary to motor vehicle over $300, theft over $300, all vehicle theft, arson, aggravated arson, and attempted arson.

7. "Court Action - Delinquency" includes contempt-delinquency, probation violation - delinquency, parole revocation, held on warrant, held for DOC and some post adjudicatory dispositions.

8. "Non-serious Delinquency" includes all offenses related to cannibis, manufacture or possession of controlled substances, all liquor violations, all reckless driving, disorderly conduct, phone threats, false fire alarms, mob action, false police reports, resisting an officer, escape, bribery, illegal alien status, mail theft, trespass, unlawful sale or possession of a weapon, prostitution, defacing an ID card, pimping, obscenity, all gambling, curfew and others.

9. "Others" includes all status and non-offenses and court action - MINS.

MAR 10 1982

STATE LEGISLATIVE REPORT

MAR

Human Resources Series

RUNAWAY YOUTH: GOVERNMENT RESPONSE TO A NATIONAL PROBLEM

Vol. 7, No. 2 February, 1982

by

Michele R. Magri

An Information Service of the National Conference of State Legislatures
1125 17th Street, Suite 1500, Denver, Colorado 80202. Earl S. Mackey, Executive Director

RUNAWAY YOUTH: GOVERNMENT RESPONSE TO A NATIONAL PROBLEM

by

Michele R. Magri
NCSL Youth Services Project

This issue brief on runaway youth details federal efforts in this field, summarizes the service delivery system, and highlights the states' involvement.

HISTORY

Community-based runaway youth programs emerged in the mid-1960's in response to the needs of thousands of youth who left home and were on the move across the country. Concerned with the potential exploitation and victimization of young people while on the streets, the early programs provided neutral ground and protection unconnected with the "established systems." Emergency shelter, food, medical care, and immediate assistance were offered by volunteers, churches, and community groups through these centers.

Runaway programs provided home-like atmospheres and were located in old homes, apartments, or storefronts with open access 24-hours a day. Although their primary objective was to keep youth off the streets, these early shelters made every effort to put youth in touch with their parents and to help them return home.

A humanistic philosophy of youth's rights to self-determination and involvement guided the evolution of these centers. Program staff were committed to the concepts of trust, non-judgmental and supportive interaction, and responsiveness in service delivery to youth and to the needs of the community. Prevention and early intervention were the cornerstones of their work.

By the early 1970's, youth problems had begun to take on new dimensions. For example, the number of delinquency cases brought into the juvenile courts increased from 280,000 in 1970 to 1,112,500 in 1972, and the ratio of cases to the youth population (11 years to 18 years of age) rose from 1.6% to [illegible]%.[1] Truancy and school drop-out rates also climbed dramatically. By spring 1972, the issue of runaway youth grew from a collective concern of parents and residents in certain communities to a concern of federal policymakers. Running away had become a common response to family and social pressures, reaching what a Senate Committee in 1973 called "epidemic proportions." The 1976 National Statistical Survey on Runaway Youth estimated that 733,000 young people annually leave home at least overnight without the permission of their parents or legal guardians.

THE EMERGENCE OF FEDERAL LEGISLATION: THE RUNAWAY YOUTH ACT

In the latter part of 1973, the Secretary of Health, Education and Welfare established an Intra-Departmental Committee on Runaway Youth in response to the growing national concern about the problems of runaway youth. Senator Birch Bayh, then the chairman of the U.S. Senate Judiciary Committee, was firmly committed to developing alternatives that would divert runaway youth, labeled as status offenders, from arrest, detention, and involvement with law enforcement and violent offenders. Many runaway program staff members testified before Bayh's Committee that the swelling number of runaway youth had begun to overwhelm their volunteer staffs and limited operating budgets.

As a result of these efforts, The National Runaway Youth Program was initiated under the authorization of Title III of the Juvenile Justice and Delinquency Prevention Act of 1974 (PL 93-415).

The goals of the Runaway Youth Act, as mandated by section 315, are:

(1) to meet the needs of youth during the runaway incident;

(2) to reunite youth with their families and to encourage the resolution of family problems;

(3) to strengthen family relationships and to encourage stable living goals for youth; and

(4) to help youth decide upon a future course of action.

The Juvenile Justice Delinquency Prevention Act has been amended twice since its enactment, expanding the legislative scope of the Runaway Youth Act in two areas. The first set of amendments in 1977 expanded the definition of runaway youth to include the previously unidentified and unserviced population of homeless youth. The amendments also specified that family reunification be encouraged when appropriate--recognition of the fact that many of these youth were homeless because of parental abuse or neglect. The second set of amendments, in 1980, changed the grant funding process to a direct state allocation based on population to ensure services in each state. (See Table I).

The Youth Development Bureau (YDB), located within the Administration for Children, Youth, and Families, Office of Human Development Services, has administered the Act since its passage. The Act authorizes grants, technical assistance, and short-term training to public and private non-profit agencies within the community. Grants are made to develop and strengthen community-based programs that provide the core services of temporary shelter, counseling, and after-care (follow-up services) to runaway, homeless youth and their families.

These services are provided both directly by the programs and through contracts established with other service providers. In addition to these grants, support is also being provided through the National Communications System, designed to serve as a neutral channel of communication between runaway youth and their families. This system also refers youth to needed services within their communities.

Even with the bipartisan support this legislation received, appropriation difficulties have plagued the program. However, in 1975, the appropriation was set at $5 million, and gradually increased to $11 million in 1978 where it remained through 1981. The appropriation for 1982 has not been without difficulties, as several proposals have been considered by both the Administration and the Department of Health and Human Services, including the incorporation of the Runaway Youth Act into a block grant to the states and the transfer of the programs to the ACTION agency. As of early February, however, the federal Concurrent Resolution, effective through March 1982, sets the appropriation level at $10.5 million. It is anticipated that the program will remain a categorical operation within the Youth Development Bureau of Health and Human Services for FY 83, although a reduced appropriation level may be considered as the Federal role decreases.

IMPORTANCE OF THE LEGISLATION

The Runaway and Homeless Youth Act is regarded as an important social service initiative for several reasons:

(1) Framed within the Juvenile Justice Delinquency Prevention Act, the Runaway and Homeless Youth legislation provides an impetus for the development and expansion of community-based programs designed to serve status offenders. Thus, non-violent, less serious offenders are diverted from the courts and inappropriate institutional arrangements.

(2) It is comprehensive in mandating the integration of the family into a wide network of community-based services designed to meet family needs. It requires attempts at family reunification and stabilization through individual and family counseling, and after-care services.

(3) The Runaway Youth Act provides recognition of the fact that the runaway youth problem is a national and interstate issue.

(4) The Act provides funding to ensure that programs exist in each state. These programs are linked together on a state, regional, and national level, providing a mechanism that assists youth in returning to their families. Acting under authority of the Act, the YDB facilitates and encourages information and resource sharing among the various programs.

(5) The Act provides YDB with the capability to collect data. This collection is the only source of nationwide statistical information on runaway, homeless youth and their families.

(6) Standard model regulations, developed by YDB, provide for program quality and consistency while allowing program flexibility and innovation.

(7) Programs funded by the Act are able to use YDB funds to establish credibility as recognized, federally-funded programs, using such funds as "seed money" to gather additional, broad-based support.

CHARACTERISTICS OF YOUTH SERVED

Why do youth run? There are many explanations for why youths run away from home. Although the research on this topic is fairly recent, the most comprehensive studies stress that runaways are not a homogeneous group, and they examine three environments that constitute most of a youth's life experience: home, peer, and school.

A 1974 study concluded that the interaction of interpersonal, family, and school factors seems to precipitate running away from home. The most often cited factors include the frequency of disruptive family activities, such as frequent moves, parental alcoholism, absence of one parent, little communication in the family, and physical or sexual abuse. Further studies demonstrate a correlation among alcohol abuse, drug abuse, and running away.

In short, it is important to stress that runaway and homeless youth represent two distinct categories: the former who run from a family situation that has the potential for reconciliation, and the latter in which reunification may not be possible because of family indifference.

Runaway Youth Centers are serving six distinct youth populations.

(1)Runaway Youth. Youth who are away from home without permission of their parents or legal guardians.

(2)Push-out Youth. Youth who leave home with parental encouragement.

(3)Throwaways. Youth who leave home with knowledge and approval of parents or legal guardians, and who desire to leave home.

(4)Potential Runaway Youth. Youth who are still living at home but are considering leaving home without permission.

(5)Non-crisis Youth. Youth who are living in an unstable or critical situation, but who are not planning to leave.

(6)Other. Youth who use the projects for various other purposes.

Demographics. The 1979 data base established by YDB reveals that runaways are the largest category (42%), followed by pushouts and throwaways (28%) and non-crisis youth (20%). More females than males run away in each category, with the exception of the push-outs where males predominate. The 14-17 age group represents 83% of the youth served, although programs also serve youth between the ages of 9 and 13 years (13.3%). While 72% of youth served are white/caucasian, minority youth also use these programs (16% black; 6% Hispanic).

Living situations. Of the youth who come to these shelters as runaways, the largest proportion (81.6%) had been living at home. However, the family had been typically (61.7%) headed by a single parent or stepparent.

Referrals. Youth come in contact with the runaway centers through a wide variety of referrals. The majority (19%) refer themselves for services. However, the police, courts, probation, and other juvenile justice agencies initiate 27% of all referrals—indicating that these programs, as a result of the implementation of deinstitutionalization laws, are serving as alternative service programs for status offenders. Protective services, mental health, and other public or private agencies account for 21% of the total referrals, demonstrating that these programs fill community service gaps.

PROGRAM DESCRIPTION

It is important to note that the 169 programs funded by the Runaway Youth Act do not constitute all of the runaway youth service programs in the country. The YDB programs, however, offer a successful demonstration effort which can be viewed as a model.

Runaway youth centers are diverse in terms of structure, ranging from free-standing emergency shelters to multi-purpose youth service agencies. Some have developed in response to specific community needs, while other programs have been selected as demonstration-sites to test their ability to deal more comprehensively with numerous youth problems. Examples of such problems include teenage pregnancy, school drop-outs, prostitution, youth employment, and adolescent abuse.

Despite this diversity, some common denominators exist in terms of key service components for all runaway youth programs. (All services are provided at no cost and have no eligibility requirements.) Emergency shelter is the cornerstone of the runaway program. Temporary housing is provided at the client's request on a 24-hour, 7-day-a-week basis through residences maintained by the programs, or through temporary foster homes, "host homes," and other community-based resources.

Crisis intervention counseling is another key component that assists the youth in thinking about family dynamics and the reasons for running away. This service attempts to avoid a breaking point in family communication and encourages family reunification. Other key services include outreach, information and referral, medical assistance, legal services, transportation, placement, advocacy, and after-care services. In addition to providing services directly, the projects have established solid working relationships with other institutions in the local communities, including welfare departments, juvenile justice agencies, social services programs, schools, police, and other runaway programs and crisis intervention units.

In a 1979 study, a sample of YDB funded runaway youth programs revealed that programs were operating highly complex and diversified service programs. In fact, the average YDB grant provided funding for less than half the cost of these programs. Other funds used by the programs included contracts from the Office of Juvenile Justice Delinquency Prevention, National Institute of Mental Health, Title XX, state agencies, local agencies, and private foundations. (See Table 2.) A cost analysis demonstrated that the projects generated an additional $3,000 worth of resources per month through the use of volunteers, donated resources, and in-kind services.

THE STATES' RESPONSE

The states have entered this arena by providing services to runaways, homeless youth, and their families through a variety of techniques, including specific legislation, line-item appropriations in general fund categories, and purchase of service contracts on the local level.

Because state involvement is a fairly recent activity, this section of the report is limited in scope and offers only a sample of state involvement. Further research in this area will continue through NCSL's Youth Services Project.

State Legislation. To date, New York, is the only state to have passed specific legislation related to runaway and homeless youth. Two key factors played a role in the legislation's development. (1) In 1976, Assemblyman Howard Lasher, chairman of the Assembly's Child Care Committee, held hearings to examine New York's runaway problems in light of the federally funded runaway youth programs which he perceived as useful. (2) Also in 1976, the state moved to keep status offenders out of institutions in order to comply with the Juvenile Justice Delinquency Prevention Act. Through joint hearings, committee members, police officers, and community groups developed a consensus that the best way to deal with runaways was through treatment rather than detention.

Passed in 1978, New York's law follows the Federal Runaway Youth legislation, and is administered by the Division of Youth. The statute clarifies the legal status of runaway youth and establishes both procedures and funds to expand services through the development of new programs. This provision restricts support to existing federally funded programs.

Ohio has passed legislation, HB440, that balances the goals of fair treatment for youth and protection for the public. (See "Juvenile Justice in the States: Which Way is it Heading?" State Legislatures, January, 1982, pp. 19-24.) Administered by the Division of Youth, this legislation created a two-part, formula-based grant of state aid to counties. The grants may be used to support prevention, diversion, diagnosis, counseling, treatment, foster care, and rehabilitation programs for "alleged or adjudicated unruly or delinquent children, or children at risk of becoming unruly or delinquent." The juvenile courts and county commissioners jointly establish an annual plan of services needed at the local level.

Following an unsuccessful attempt to obtain line-item appropriation from the U.S. Department of Health and Human Services, Wisconsin passed legislation that earmarks Title IVB (the Federal Child Welfare Program) funds for runaway youth programs. For each of the next two years, $100,000 has been made available to support existing federally-funded programs. This funding replaces lost federal appropriations. Additionally, the law provides $100,000 per year for a two-year period to nonfederal programs that serve runaway youth as a portion of their overall client population. The selection of the Title IVB legislation as a potential revenue source for runaway youth programs was appealing to the legislature and to runaway programs, because the money remains administered by a state agency.

Connecticut has taken a unique approach in passing a no-cost bill that sets a framework within which the family may be considered in need of services. This law grew out of Connecticut's efforts to deinstitutionalize status offenders.

Florida, which last year created a $307,000 line-item appropriation for runaway youth programs to replace lost federal dollars, also appointed an interim committee on status [illegible]ders within the Senate Judiciary-Criminal Committee. The committee is expected to recommend a state-local partnership in providing services to runaway youth. Legislation is being proposed in both the Florida Senate and House for shelter programs, with the state share used to purchase beds and support one-half of the operating costs of these programs.

Maryland has demonstrated its support by calling for a "sole source" 33% across the board increase to runaway youth programs. The Governor, whose approval is required, is expected to support this action.

Other State Action. Several states have responded to federal cutbacks in funding for runaway youth programs and to arguments for the cost-effectiveness of these programs by providing line-item appropriations. These states include Wisconsin, Maryland, Minnesota, California, Vermont, Florida, Ohio, and Hawaii. Other options for state support that will require review and study include: using state-formula Office of Juvenile Justice Delinquency Prevention grants; using funds available under the Social Services Block Grants; and creating various pass-through mechanisms from the state to local level that could result in purchase-of-contract services or fee-for-service reimbursements.

FOOTNOTES

[1] JUVENILE COURT STATISTICS, Office of Youth Development, 1972, p. 415.

REFERENCES

"Homeless Youth: The Saga of 'Pushouts' and 'Throwaways' in America," Report of the Subcommittee on the Constitution of the Committee on the Judiciary, United States Senate, Ninety-sixth Congress, second session, December, 1980.

1979 ANNUAL REPORT ON THE STATUS AND ACCOMPLISHMENTS OF RUNAWAY YOUTH PROGRAMS, Department of Health & Human Services, Office of Human Development Services, Administration for Children, Youth & Families, Youth Development Bureau, Oct. 1980.

EXECUTIVE SUMMARY, NATIONAL EVALUATION OF THE RUNAWAY YOUTH PROGRAM, OCT. 1977 TO MAY 1979, Berkeley Planning Associates, October, 1980.

RUNAWAY & OTHERWISE HOMELESS YOUTH FISCAL YEAR 1978, ANNUAL REPORT ON THE RUNAWAY YOUTH ACT, Department of Health, Education & Welfare, October, 1979.

NATIONAL DIRECTORY OF RUNAWAY PROGRAMS, National Youth Work Alliance, Fourth Edition, 1980.

ADOLESCENT LIFE STRESS AS A PREDICTION OF ALCOHOL ABUSE AND/OR RUNAWAY BEHAVOIR, Therese von Houten & Gary Golembiewski, National Youth Work Alliance, 1978.

TABLE 1

RUNAWAY AND HOMELESS YOUTH CENTERS
FY '81 ALLOCATIONS BY AREA

AREA	ALLOCATION	NUMBER OF PROGRAMS
Alabama	$179,484	2
Alaska	23,445	1
Arizona	120,336	2
Arkansas	101,980	2
American Samoa	2,040	0
California	990,222	18
Colorado	127,475	6
Connecticut	130,534	3
Delaware	26,515	1
D.C.	26,515	2
Florida	354,889	6
Georgia	247,810	4
Guam	9,178	0
Hawaii	43,851	1
Idaho	46,911	1
Illinois	514,997	5
Indiana	253,929	4
Iowa	130,534	2
Kansas	102,999	2
Kentucky	166,227	1
Louisiana	205,999	2
Maine	50,990	2
Maryland	182,543	4
Massachusetts	241,692	6
Michigan	435,453	6
Minnesota	185,603	2
Mississippi	128,494	1
Missouri	214,157	4
Montana	37,732	1
Nebraska	71,386	2
Nevada	32,633	1
New Hampshire	40,792	1
New Jersey	318,176	5
New Mexico	64,247	1
New York	756,689	10
North Carolina	256,989	3
North Dakota	30,594	1
Northern Marianas	1,020	0
Ohio	491,542	6
Oklahoma	129,514	3
Oregon	111,158	2
Pennsylvania	495,621	7
Puerto Rico	205,999	2
Rhode Island	38,752	1
South Carolina	143,791	1
South Dakota	32,633	1
Tennessee	198,860	3
Texas	651,650	12
Trust Territories	10,198	0
Utah	80,564	1
Vermont	22,436	1
Virginia	229,454	3
Virgin Islands	6,119	0
Washington	174,385	7

West Virginia	85,663	2
Wisconsin	214,157	4
Wyoming	22,436	2
57 Areas TOTALS	$11,456,390	173

SOURCE: Federal Register, Feb. 24, 1981, Part VII, Department of Health & Human Services, Office of Human Development Services, Runaway & Homeless Youth Program; availability of Financial Assistance.

TABLE 2

RUNAWAY AND HOMELESS YOUTH PROGRAMS REPORTING "OTHER SOURCES OF INCOME"+

SOURCE	PERCENT OF PROGRAMS REPORTING
FEDERAL FUNDING	
Youth Development Bureau	44.7%
Law Enforcement Assistance Administration/ Juvenile Justice and Delinquency Prevention Act	14%
Comprehensive Employment and Training act	24%
National Institute on Drug Abuse	7%
National Institute on Alcohol Abuse	5%
National Center on Child Abuse and Neglect	31%
Title XX of the Social Security Act	21.5%
STATE FUNDING	
Dept. of Public Welfare/Social Services	34%
Dept. of Children and Youth	15%
Dept. of Mental Health	12%
State Criminal/Juvenile Justice Commission	11.5%
CITY/TOWN/COUNTY PRIVATE FUNDS	
United Way	40%
Junior League	3%
Foundations	18%
In-Kind Services	8%
Organization/Business/Corporation	12%
Churches/Dioceses	12%
YMCA/YWCA	8%
Membership Drives/Donations/Volunteers	30%

+ 148 programs reporting

SOURCE: FY 1981 Annual Report to the Congress on the Status Accomplishments of the Centers Funded Under the Runaway Youth Act; U.S. Dept. of Health & Human Services, Office of Human Development Services, Administration for Children, Youth & Families, Youth Development Bureau.

This issue brief was made possible through a grant from the Youth Development Bureau, Department of Health and Human Services, Office of Human Development Services. Contract #90CY308/01

YOUTH SERVICES PROJECT

PROJECT OVERVIEW

In September, 1981, the Youth Development Bureau (YDB) in the U.S. Department of Health and Human Services entered into a cooperative agreement with the National Conference of State Legislatures (NCSL) under which NCSL would provide information assistance to the nation's state legislatures. The goal of the NCSL's Youth Services project is to support the decision-making capacity of state legislatures in the area of youth services. In addition, this project complements the program activities currently underway through the YDB-funded Coordinated Networking Projects. These youth services networks deliver services at both the state and local levels, and have successfully created formal linkages to state, local, public, private and voluntary agencies. Their program experience will provide much of the technical expertise for this project.

The project will focus on a broad range of youth services policy issues including runaway and homeless youth and their families, child abuse and neglect, substance abuse, juvenile justice (status offenders and non-institutional arrangements), and foster care.

PROJECT OBJECTIVES

The project has three primary objectives:

(1) to share interdiciplinary information on services for vulnerable youth with state legislatures, state and local government agencies, and private and voluntary organizations;

(2) to provide linkages between programs serving vulnerable youth and the state legislatures; and

(3) to establish a mechanism for systematically gathering and disseminating information on exemplary, cost-effective, and replicable models for delivering services to vulnerable youth.

PROJECT IMPLEMENTATION

The project will be carried out through:

*General resource information assistance on youth services. NCSL maintains files of state activity concerning youth services and requests that state legislators and legislative staff send bill copies, updated information and relevant reports and articles on this subject to our Denver office c/o Michele Magri.

*On-site technical assistance to state legislatures. Formal assistance may take the form of expert testimony during pertinent hearings, while less formal assistance may include briefing meetings with legislators and legislative staff.

*A quarterly issue brief, feature article, and legislator's guide. These publications will provide general and specific information on youth services.

*Concurrent session on youth services at the 1982 NCSL Annual Meeting. Federal, state and local representatives will discuss intergovernmental cooperation and model programs necessary to meet the needs of youth and their families.

PROJECT STAFF

The project manager is Michele R. Magri, who may be contacted in NCSL's Denver office at (303) 623-6600.

WORKING DRAFT
January 12, '84

DRAFT COPY - PRIVILEGED

NOT TO BE CITED
UNTIL JANUARY 29, 1984

RUNAWAY AND HOMELESS YOUTH IN NEW YORK CITY

A REPORT TO THE ITTLESON FOUNDATION
NEW YORK CITY

David Shaffer, M.D., F.R.C. Psych., D.P.M.
Director, Division of Child Psychiatry
Professor of Clinical Psychiatry and Pediatrics
Columbia University College of Physicians and Surgeons
Research Chief - New York State Psychiatric Institute
722 West 168th Street, New York, New York 10032

Carol L.M. Caton, Ph.D.
Assistant Professor of Clinical Social Science
Columbia University College of Physicians and Surgeons
Department of Psychiatry and School of Public Health
Research Scientist - New York State Psychiatric Institute

Division of Child Psychiatry, New York State Psychiatric Institute and Columbia University College of Physicians and Surgeons

This study was supported by a grant from the Ittleson Foundation and by the resources of the New York State Office of Mental Health, Division for Research.

JANUARY, 1984

INTRODUCTION AND RATIONALE

The idea for the study of homeless and runaway youth described in this report originated in an institute of psychiatry. This reflects our concern that runaway behavior or being homeless as a child or adolescent has important mental health implications. Studies of the adult homeless (Baxter and Hopper, 1981; Hopper et al., 1982; Arce et al., 1983; Lipton et al., 1983) have shown the importance of psychiatric factors in that group. A significant number of homeless adults have recently been discharged from psychiatric institutions and an even larger proportion suffer from chronic psychiatric illness. We wanted to know whether there were similar mental health problems among young people who are seeking shelter away from home.

Specifically, we wanted to know how many such young people there are in New York City. What proportion are disturbed and might be in need of psychiatric care at the time that they seek shelter? If they are disturbed could we establish whether they had been so for some time before running away or would we simply be recording understandable distress in young people who had recently experienced a major upheaval in their lives and who now found themselves without adequate personal or family support? How many had already received psychiatric treatment and of what kind and for what type of disorder?

We also hoped to be able to explore the background to their situation. How many runaway and homeless youth are social casualties, the victims of poverty or perhaps the offspring of homeless adults? How many are the product of specific distortions of family life such as child abuse or family break-up? How many are mentally ill, retarded, incompetent, or incapable of negotiating their existence in a more orderly fashion?

Are there parallels between homeless adults and homeless youth? Had a significant number run away or been erroneously discharged from foster care, group homes, or hospitals and, if so, should we view these placements as having failed on their own terms, or were they inappropriate in the first place? Are youth who run away from such settings likely to be more disturbed, and should special note be taken of this when they have to be placed back in a foster or institutional setting?

We were also interested in the more general issue of whether runaways are sufficiently similar to each other to allow us to generalize among them. For example, if a subgroup which runs away and re-presents at shelters repeatedly has a specific profile, this could be noted and used to single out potential repeaters for special attention when they first present.

There are other important questions of a more general nature. How do runaway children and adolescents fare when they are away from home? How many support themselves through prostitution, pornography, or crime? How many obtain help from official or unofficial support systems? What is the state of their physical health? Are the homeless and runaway youth found in New York City drawn to the metropolis because of its reputation or are they mainly local youngsters?

To address these questions, we seek to study a reasonably representative group of young people. Ideally, we would have wanted information about all homeless and runaway youth in a specific geographical area during a specific block of time. However, this would have meant interviewing youths living on the streets and in an unknown number of informal pads and hangouts, as well as those in official shelters. This task is possible but was beyond our resources. The easiest strategy would have been to study inhabitants living in all shelters at a given point in time. However, that would have provided a distorted picture. The large number of youth who discharge themselves rapidly would be under-represented, and those who stay in shelters for a long time would be over-represented.

Our final choice of a research design is a compromise. We interviewed children and adolescents who presented at officially recognized shelters over a two-week period. We did not interview children on the streets or in pads, and they may indeed be different; however, shelter children *are* accessible for intervention. By definition they want and presumably need care. We have tried to avoid the problem of over-representing long-stay shelter residents by aiming to examine *all* children and adolescents who come to a shelter at a time shortly after their presentation. We did not manage to do this because some youngsters left before they could be interviewed and other were "placed" within the official child care system very rapidly, but had disappeared from it by the time that our interviewers tried to catch up with them. However, we *do* know which youths were missed and so we feel that we can discuss how representative our findings are with some confidence.

The techniques we used to interview the youth were to a large extent standardized and designed to reduce different perceptions that might be obtained by different interviewers. All of our interviewers were clinically skilled--for the most part social workers with experience in assessing and helping troubled adolescents--and they used their skills to make sure that the questions in the interview were understood by the youngsters and that the interview was not too stressful. Their success in this difficult venture can be judged by the fact that no youth walked out of any interview, and there were many who seemed to welcome the opportunity to talk about their complicated lives and problems. We hope this report will make it possible for such help to reach a larger proportion of these needy young people.

PREVIOUS RESEARCH

General:

A small number of previous studies have examined the incidence of runaway behavior and the characteristics of the young people involved in it. In any study attempting to look at family and behavior problems it is important to use some kind of standardized criteria or measurement. It is often helpful to compare the runaway or homeless youth with a non-runaway group. Unless this is done one cannot know whether any seeming abnormalities are specific for runaways. The way in which a sample is selected will also influence how findings can be interpreted. Thus a study of consecutive shelter users or a random household survey is more likely to reveal generalizable information about shelter users or runaways respectively, than studies of runaways seen at a psychiatric clinic where a variety of selection factors may produce distortions.

In Table 1 we have summarized the essential features of a number of studies whose findings are referred to below. None of these studies was designed specifically to identify the nature or severity of psychiatric disturbance among runaway and homeless youth as children but several have examined psychiatric issues (Leventhal, 1962; Robey et al, 1964; Jenkins and Stahle, 1972; Beyer, 1974; Wolk and Brandon, 1977; and Williams, 1977) not always using standardized criteria or research measures. The follow-up study by Robins and O'Neal examined subjects in mid-adult life.

Definitions:

Defining homelessness and runaway behavior and differentiating between them is important. Variations in definition will, for example, significantly effect incidence and prevalence rates. The problem has been addressed by legislators. Thus Chapter 722 of the August 7, 1978, New York State Social Services Appropriation defines a runaway youth as "a person under the age of 18 years who

SAMPLE BASED STUDIES

Investigators	Age at Exam.	Definition	Runaway Sample	Controls	Measures Of Psychiatric Condition
Robins and O'Neal (1959)	29-52 years (median age at referral to clinic was 13)	Away without permission overnight and court or arrest record describing youth as runaway	68 males 28 females attending a psychiatric clinic	all clinic attenders who did not run away (N=150)	Direct interview and hospital, parole board, court and physicians records. Death Certificates.
Leventhal (1962)	5-16	away without permission 1 or more times; duration unspecified	27 males 15 females attending a psychiatric clinic attendees	42 age/sex matched non-runaway psychiatric clinic attenders	Diagnostic interviews conducted by psychiatrists.
Robey et al. (1964)	13-17	away overnight without permission	42 females attending a court clinic	None	Unstandardized clinical interviews
Shellow et al (1967)	10-17	left home voluntarily with knowledge that he/she will be missed	455 boys 321 girls reported missing to the police	1327 high school students unmatched with runaway sample	School, police, court records. Standardized questionnaire on 96 subjects only
Jenkins and Stahle (1972)	13 years	away 24 hours or more without permission	single case report of a boy		Clinical assessment
Beyer * (1974)	under 18	Listed in police missing persons reports and psychiatric clinic records	14 male 18 female	18 male 14 females non-runaway natural siblings	Questionnaire to assess depression, self-esteem, intelligence, stressful life events, perception of parents, impulsivity, tempered perfection
Opinion Research Corporation (1976)	10-17	absent from home for at least one night without parent/guardian permission	635 runaways identified in national probability household survey, sex unspecified	**	**

TABLE 1 - Subject and Method Characteristics of Studies on Runaway Children

FILMED FROM
BEST COPY AVAILABLE

SAMPLE BASED STUDIES

Investigators	Age at Exam.	Definition	Runaway Sample	Controls	Measures of Psychiatric Condition
Williams* (1977)	under 18	shelter users duration of episode unspecified	40 runaways selected from 3 Californian shelters; sex unspecified	N=40 non runaways chosen from various community organizations	Eysenck Personality Inventory; House-Tree-Person Techniques; Kinetic Family Drawings
Wolk and Brandon (1977)	13-17	shelter users; duration of episode unspecified	26 F all 21 M white selected from six runaway shelters. Both parents present at home during childhood	matched for age, sex and neighborhoods of runaways	Cornell Parent Behavior Description (support, punishment, control) Adjective Checklist

* Dissertation Abstract - method details incomplete

** A controlled interview study was carried out, but has not been published.

TABLE 1 (Continued) - Subject and Method Characteristic of Studies on Runaway Children

FILMED FROM
BEST COPY AVAILABLE

is absent from his legal residence without the consent of his parents, legal guardian, or custodian," and a homeless one as a youth "who is in need of services and is without a place of shelter where supervision and care are available."

These definitions imply that a runaway child has somewhere to go where he or she would be cared for, whereas a homeless child does not. However, this apparently clear distinction does not necessarily fit the psychological reality. It is likely that a large number of runaways perceive their homes as unwelcoming and it may be that investigation of the apparently homeless child will reveal that there are indeed adults within the child's social system who will accept responsibility for supporting the child. An additional problem is what should be considered a runaway episode. If a boy aged 7 runs away and is found down the street 30 minutes later, is he a runaway? Is this a runaway episode? What duration of stay and what distance from home qualifies as a runaway event?

These issues have been addressed in a variety of ways by previous researchers. Shellow et al. (1967) defined runaway behavior in terms of the youth's intent--leaving home voluntarily with the knowledge that he/she will be missed. Although this makes good psychological sense, it is likely to be difficult to make an operational decision retrospectively along these lines. In our experience many runaway youths leave home with the implicit agreement of their caretakers, even if this is only given or agreed to in the heat of anger or dispute. Other researchers define a runaway episode as a period when the youth is absent from home without the permission of a parent or guardian (Leventhal, 1962; National Center for Health Statistics, 1975), with or without a time qualification, e.g. that the youth be absent without leave for a period of at least two hours (Opinion Research Corporation, 1976), eight hours (BREC, 1975), overnight (BREC, 1975; Opinion Research Corporation, 1976; Robins and O'Neal,

FILMED FROM
BEST COPY AVAILABLE

1959; Stierlin, 1975; Robert et al, 1964), or for a period of at least 24 hours (Riemer, 1940). Operational definitions of homelessness have not been reported in the literature.

Other investigators, including ourselves, have approached the problem by looking at utilization of services designed for homeless and runaway youth. This will inevitably identify a smaller, more select group of runaways. Not all runaways go to a shelter and those that do are likely to have less effective personal support systems (e.g. friends or relatives with sufficient accomodations, space or funds to support them). It is therefore likely that studies of shelter users will yield a sample in which both runaway behavior and socioeconomic neediness are confounded. However, shelter users are a legitimate service-requiring group and although studying them may not provide generalizable information about the psychopathology of running away, it does provide the most useful information pertinent to service needs.

Incidence-Prevalence

The most reliable estimate of the size of the problem comes from a nationwide study carried out by the Opinion Research Corporation (1976) consisting of a telephone survey of an enriched (to increase representation of minority and female runaways) probability sample of 62,895 households of which 13,94[illegible] included a youth between the ages of 10 and 17. This survey indicated the annual incidence of overnight runaway behavior to be 1.7% of youth aged 10-17, or between 519,000 and 635,000 individual runaways per year nationally. The one year incidence rate among households with one or more youths aged 10-17 was 3.0%, or 502,000 to 613,000 households nationally. When the criterion for running away is reduced from being away overnight to being away for at least two hours, the incidence was increased to 5.7%, or 985,400 to 1,154,200 of youth households. When a criterion

FILMED FROM
BEST COPY AVAILABLE

of eight (8) hours or longer was used, the incidence was at an intermediate level of 3.6% of the youth population and 7.1% of youth households. The cumulative (child lifetime) prevalence or the proportion of youth households who had *ever* experienced a runaway event was estimated to be 8.3% or around one and a half million households nationwide being effected.

As discussed above, not all runaways make use of community services; many seek shelter with relatives or friends never coming to the attention of public authorities or service agencies. Although it is difficult to piece together statistics from different sources over different time periods, a study of users of a population based system of shelters--such as the one we have carried out--could provide data which, by comparison with the O.R.C. survey, could permit us to estimate the proportion of runaways who use shelters or other community service programs.

The United States Department of Health and Human Services (DHHS) (1983) reported that in fiscal year 1981, 35,832 youths were served by 127 of 169 programs targeted to runaway and homeless youth across the nation. Of these, 20,309 were female. Approximately 130,000 more youth were served on a one-time basis. It is not clear to what extent these figures take account of the problem of duplicate counts, i.e. of youth who present at more than one shelter. Even if they have, they are of only limited value and cannot assist us in determining incidence or prevalence of shelter use because the figures are not tied to specific geographical areas where population size is known, and there are geographical areas in which shelters exist which are not part of the Federal funding network.

An often quoted estimate of the prevalence of runaway behavior and homelessness among youth in New York City in 1981 was prepared by the Division for

FILMED FROM
BEST COPY AVAILABLE

Youth Funding sources (Runaway and Homeless Youth Act, Youth Development Delinquency Prevention; Special Delinquency Prevention Program). The estimates were based on program reports of the number (7,332) of youth under 18 years of age who were served by officially recognized Runaway and Homeless Youth Programs. Of these, 3,487 were classified as runaways and 3,845 as homeless, using the New York State criteria listed above. An additional 15,400 youth were served by programs but were not given shelter. Using these data it was concluded that approximately 20,000 youth run away or are homeless in New York City each year, corrected for the child population in the area, which would given an incidence of 3.5%/annum/child aged 12-17. However, the study did not specify whether its figures were based on service counts or estimates. It does not attempt to indicate the number of individual youths served, but simply the number of admissions to programs. A single individual could account for more than one admission in one or more programs. It applies no duration criteria to the episode and does not state how the homeless or runaway status of the large number who were not sheltered was addressed. The estimate of individuals is therefore likely to be exaggerated.

Sex:

Running away from home appears to occur with almost equal frequency among males and females. In the O.R.C. (1976) study of runaways who did not necessarily use shelters, 53.2% were males as were 60% of the Shellow (1976) sample reported to the police as runaway. However, in the DHHS (1983) survey of program users, there were only 43% males. It may be that more boys run away but that girls are more likely to avail themselves of shelters.

Age:

Although runaway behavior occurs before puberty (National Center for Health

FILMED FROM
BEST COPY AVAILABLE

Statistics, 1975) most runaway episodes have been reported to take place in mid-adolescence. In the O.R.C. study (1976) of children and adolescents under age 17, the modal age was 16 years, with adolescents over age 15 accounting for 80% of all runaways. Shellow et al.'s study of adolescents reported missing to the police (1967) and the DHHS survey of service users (1983) both report that the greatest number of runaway youth were aged fifteen and sixteen years.

Ethnicity:

The Opinion Research Corporation (1976) study found no significant differences in rates of running away among whites (2.9%) and blacks (3.2%), but the rate among Hispanic youth was higher (4.6%). The DHHS (1983) report on use of service for runaway and homeless youth indicates that nationwide 70% of users in 1981 were white, 19% were black, 7% were Hispanic, and 4% of other ethnic groups. Therefore, among shelter users compared with national census data, whites are somewhat under-represented and blacks over-represented (U.S. Bureau of Census, 1982).

Social Class:

The Opinion Research Corporation (1976) study found identical rates of running-away for youngsters of blue and white collar workers. Similarly, Shellow et al. (1967) found that 28% of runaways came from families at the low end of the economic scale, a similar proportion as found for the country as a whole.

Season:

The findings here are inconsistent. The Opinion Research Corporation's study (1976) found the lowest rates of running away in the period from February through May, with only slight variation from June to January. By contrast, Shellow et al. (1967) found that the spring months had the highest rates of running away, particularly for girls.

FILMED FROM
BEST COPY AVAILABLE

Previous Research...

Duration of Runaway Episodes:

The Opinion Research Corporation (1976) study found that four out of ten runaway episodes of at least 4 hours lasted a day or less, 70% of runaways returning home in less than a week. Similar findings were reported by Shellow et al. (1967) who found that many runaway episodes were impulsive and poorly planned, and that youth frequently left home without extra clothing. Only one-third in their study left home with more than a dollar bill. However, it is not clear whether such brief and ill-prepared episodes are also characteristic of shelter users. Shelter users may be making more serious endeavors.

Number of Episodes

Many runaways leave home repeatedly. Shellow et al. (1967) found that 28% of cases reported to the police ran away two or more times in a one year study period. Repeaters were different from one-timers in that they stayed away from home longer, and were less likely to return home voluntarily; they were more likely to come from troubled homes; they had more difficulties at school (e.g. lower grade averages, more often retained to repeat a grade and more often dropouts), and had been in more trouble with the law (charges, court appearances, and incarcerations).

Associated Psychiatric Problems

Three major areas of disturbance have been identified in existing studies of runaway and homeless youth: emotional problems, antisocial behavior which may or may not be associated with other evidence of psychiatric disorder, and school difficulties.

The only controlled study that measured emotional factors in a standardized way was Wolk and Brandon's (1977) investigation of 47 runaways admitted to special centers in suburban Maryland, which was compared with a group of non-runaway

FILMED FROM
BEST COPY AVAILABLE

controls matched for age, sex, and neighborhood. Runaways showed more defensive, self-doubting and less trusting responses on the Adjective Check List (Gough, 1966), a personality test which evaluates self perceptions of adjustment and achievement, but which cannot easily be equated with the concept of psychiatric disturbance. Also the sample was reported from a special center and its representativeness is likely to be questionable. Other controlled studies which have not used any standardized assessment of psychopathology distinguish runaways from non-runaways as having lower self esteem (Brandon, 1974; Beyer, 1974); being more depressed (Beyer, 1974); having more neurotic anxiety (Williams, 1977); and having poorer interpersonal relationships with peers and teachers (ORC, 1976).

In an introduction to a single case report, Jenkins and Stahle (1972) characterized runaways as insecure, unhappy and impulsive youth who are likely to carry their problems with them into adulthood but provided no documentation for these assertions. Robey et al. (1965) in an uncontrolled study without standardized assessment procedures characterized 42 runaway girls referred from a court as having poor impulse control.

In a long-term follow-up of runaways who had attended a child psychiatric clinic, Robins and O'Neal (1969) found that over the course of time they had high juvenile arrest rates. 18% of boys with no juvenile arrest records had been runaways, but 36% of all boys arrested but not brought to court were runaways as were 64% of boys arrested and brought to court.

School difficulties were noted in the Opinion Research Corporation's study (1976), runaways having worse relationships with teachers and lower academic aspirations than controls. Adams and Munro (1979) report that the school difficulties had been present before running away had started. Shellow et al. (1967) noted that although intelligence scores of runaways did not differ

FILMED FROM
BEST COPY AVAILABLE

significantly from national norms, 82% had grade averages of C or below for the grading period closest to the runaway episode, compared with only 32% of a comparison group. Runaways also showed higher rates of school absenteeism and their age was greater than the grade expected.

Prognosis: In Robins and O'Neal's (1959) follow-up of 96 runaways, sociopathic behavior in adulthood was more common in former psychiatric patients who had been runaways than in those who had not. Runaways were more likely, as adults, to be involved in crime, to have been incarcerated, and to have problems with drinking, gambling, marital disorder, and impulsive behavior.

Family Environment: It is improbable that the runaway response derives solely from the individual characteristics of the youth. It is likely to be heavily influenced by the family and social environment (Goldmeier and Dean, 1973). Previous research suggest that for most runaways, the environment is at home with the family. The DHHS (198[illegible]) report indicated that most children and adolescents who received runaway and homeless youth services in the year prior to the runaway episode were living at home with their parents or a legal guardian.

Family Size: Wolk and Brandon (1977) found an association between running away and large (8 or more family members) family size. Shellow et al. (1967) found an average family size of from four to six persons for both runaways and for a comparison control group. Most runaways in that study (51%) were the oldest children in the households. However, only 52% of runaways lived with both natural parents compared with 82% of controls. For runaways, the excess of broken or reconstituted homes, or homes marked by various types of separations, has also been noted in other studies (Jenkins and Stahle, 1972; Wolk and Brandon, 1977).

Family conflict: Runaways have been found to have serious difficulty in communicating with adults and to have unsatisfactory family relationships. Using

FILMED FROM
BEST COPY AVAILABLE

the Cornell Parent Behavior Checklist to explore support, punishment and control in family relationships, Wolk and Brandon (1977) in a controlled study of runaways who had lived with both parents during childhood reported that the chief problem experienced by the parents of runaways were problems over control and supervision. In a controlled study that used no standard measures, Williams (1979) found significantly more negative relationships with the same sex parent of runaways than non-runaways. Gullotta (1978) in a paper without original data suggested that family conflicts among runaways center on issues of control regarding friends, schooling, grooming, etc. He suggests that "throwaways" (i.e. young people who do not willingly choose to leave home but are for whatever reasons placed out of their home by their parents with the intention that they not return) are more likely to have been the object of sexual and physical abuse.

Family dynamics have been implicated in causing the runaway response. Roby et al. (1964) contend that runaway girls are responding to family stress, precipitated by unresolved Oedipal difficulties. Modes of interaction between runaway youth and their parents have motivated family therapists to derive approaches to improving family compensation (Stierlin, 1973).

Interventions:

It is generally thought that counseling of runaways should include an assessment of the family situation and its appropriateness as a living setting for the runaway youth (Bliesner, 1981; Palmer and Patterson, 1981). The general view is that reunification with families is sometimes, but not always appropriate (Orten and Soll, 1980). When reunification with families is thought possible (i.e., when there is no serious abuse or neglect and when receptive and responsible adults are present), a family therapy approach has been used (Ostensen, 1981). A study using an intervention based on parent-child

FILMED FROM
BEST COPY AVAILABLE

communication theories (Wood and Schwartz, 1977; Ostensen, 1981) treated 60 female and 26 male runaways in two to six sessions, at which both parents and youth participated. The goals of the intervention was to resolve the immediate crisis while at the same time teaching problem-solving skills for the future. In some cases the youngsters involved were also offered foster care placement. Subjects were primarily white and from working-class families. Thirty were first-time runaways, and about one-third had been arrested for a status offense such as running away or incorrigibility. All subjects were offered the family intervention and comparisons were then made between families who completed and those who did not complete the course of treatment. Three months after completion of treatment, only 7 of the 28 families who participated in three or more family counseling sessions had youth who ran away again, compared with 28 of the 45 non-participants. Given the design of the study it is possible that only motivated individuals and those with a good prognosis remained in treatment, i.e. that there is confounding between family characteristics and treatment, but the findings are promising and need to be replicated.

FILMED FROM
BEST COPY AVAILABLE

STUDY METHODS

The Setting for the Present Study

There are a number of places in New York City where runaway and homeless youth can be found. An undetermined number 'hang out' at train stations, bus depots, arcades, and all-night movie theatres in midtown Manhattan, and can also be found at the docks and in public parks in every New York City borough. Some of these young people come to the attention of staff of outreach programs operated by the New York City Police Department or the Port Authority Police. Others seek refuge at one of the youth shelters registered with the City which together can provide crisis housing and meals to 322 youngsters. Registered shelters must comply with minimal health and space standards. In turn, they are eligible for certain public funding programs. Our study was carried out in these shelters.

Existing Shelters for Young People:

Seven of the registered youth shelters we studied are located in the borough of Manhattan, with two shelters in the Bronx and one in Queens. At the time of our study, Brooklyn and Staten Island had no youth shelters. The largest youth shelter is a church affiliated institution in Manhattan that provides legal, medical, social, and vocational services on site in addition to crisis housing and meals. Psychological counseling and case management is available to all adolescents who accept an orderly discharge. In practice a significant proportion will discharge themselves from the shelter without availing themselves of these services. Long-term family counseling is available for a very small proportion of cases. It has over 200 beds and serves over 12,000 admissions per year. The average length of stay is said to be 2 weeks. In our study it served more than 75% of the runaway and homeless youth seeking shelter. Other shelters have a bed capacity in the 8 to 20 range, and tend to keep youths for longer periods of time. The smaller shelters provide housing and food and staff work to arrange for

FILMED FROM
BEST COPY AVAILABLE

whatever medical and/or social services are necessary with off-site agencies or hospitals. In contrast to the allegedly deplorable conditions in public shelters for adult populations, the physical environments of youth shelters are remarkably clean, well-lighted and spacious. For example, the largest youth shelter has a common room with the ambiance of a resort hotel. There is no doubt that for many youth the physical as well as the social environment is far superior to what they have experienced at home.

Emergency housing placements for runaway and homeless youth are also made to foster or group homes on a contractual basis by the City's child welfare agency. Children and adolescents may present themselves to this agency but most children served by it are court referred youth on Person-In-Need-of-Supervision (PINS) petitions.

When children or adolescents are admitted to a shelter there is usually a brief intake interview and a deliberate effort is made to make the youth as comfortable as possible by offering him or her an opportunity to rest or obtain food. A more detailed intake interview is conducted when the youth is felt able to participate in a lengthy conversation. Most shelters try to accept any young person in need of their services. They have difficulty handling those who are overtly psychotic, intoxicated, violent or out of control, those who are known to be actively suicidal, or serious substance abusers. Such young people are not usually kept at the shelters but instead, once they are assessed, are referred to hospital emergency rooms for appropriate care.

Research Design:

The general aims of the study were to (1) determine the incidence of presentation at New York youth shelters in a specified period of time; (2) describe the demographic, social and clinical characteristics of young people

FILMED FROM
BEST COPY AVAILABLE

presenting at shelters; (3) identify their stated reasons for running away; and (4) examine the patterns of their runaway behavior, i.e. when it had begun, how often it happened, etc.

The target was to interview all new intakes, aged 17 and under, to youth shelters in the 5 Boroughs of New York during a two week period, from April 10-24, 1983. Knowing the number of youths seeking shelter would allow us to estimate the incidence of shelter use in the region; in-depth interviews would yield data for the other questions.

A standardized interview schedule was developed which encompassed questions about the current episode of homelessness, including reasons for running away or being without a home, and family and social relationships. Detailed information was also obtained previous living arrangements, including foster homes and child care institutions; history of leaving home and using shelters; current physical and mental health; school performance and school problems; and involvement in crime and illegal activities. The adolescent's reading ability was assessed through the word recognition subtest of the Wide Range Achievement Test (Jastak and Jastak, 1978).

One subject out of every five was targeted for a diagnostic interview which included a more detailed evaluation of psychopathology. The results of that evaluation will be described elsewhere.

At the end of the interview the Achenbach Child Behavior Checklist, a behavioral assessment inventory designed to record in a standardized format the behavioral problems and social competence of children aged 6-17, was presented to all youths to fill out. The Child Behavior Checklist has three versions, one devised to be completed by parents, another by teachers, and one by the youth themselves (self-report) (Achenbach, 1978, 1979; Achenbach and Edelbrock, 1979,

FILMED FROM
BEST COPY AVAILABLE

1981). It consists of a list of 112 statements about problem emotions and behaviors. The respondent is asked to rate the accuracy of the statements with respect to the child or adolescent under investigation on a three-point scale (does not apply; applies somewhat; applies certainly). Among the 112 items are 16 which are mutually incompatible with other items in the inventory. These so-called "lie items" enable the examiner to determine the consistency with which responses are being made. The instrument has been found to be sensitive in distinguishing between normal children and those with significant clinical psychiatric problems (Achenbach, 1978; Achenbach and Edelbroch, 1981).

In this study we used a self-report version answered by the youth and not a parent or teacher. In a previous study (Gould and Shaffer, unpublished) this form of the instrument had been given to 71 adolescents aged between 12 and 16 attending a child psychiatric clinic. In that population the mean score for the 96 items (excluding the lie items) was 52.07 (S.D. 28.45). The median value was 57.75 and 10% of the clinic sample had a score above 87.

Diagnostic interviews were administered by clinical social workers and social work students who had experience in interviewing troubled adolescents. They were trained to use the battery of assessment schedules in an all day session that included review and rating of videotaped interviews and role playing rehearsal.

The reliability of the interview was checked by having two raters assess the same respondent in about 10% of cases. Findings from the relability study will be reported elsewhere.

Most subjects were interviewed at the youth shelters within hours after admission, once youth shelter staff had determined that they were physically and psychologically comfortable enough to tolerate the interview procedure. At the largest youth shelter, the interview was delayed until the day following

FILMED FROM
BEST COPY AVAILABLE

admission, and at other shelters the delay was usually somewhat less. This procedure resulted in a proportion (33%) of subjects who were either discharged early or who discharged themselves. We attempted to contact such subjects by telephone or mailgram about participation in the study, and those who agreed were usually interviewed at home.

Interviews lasted anywhere from one and one-half to three hours, with the more detailed diagnostic interview adding another hour to the length of the interview. Youths were paid ten dollars for their participation in the project. Only one youth refused to complete the interview after agreeing to participate in the study. Five youths failed to provide any information for the Achenbach Child Behavior Checklist.

Differences Between Interviewed and Non-Interviewed Subjects:

Of the 175 cases admitted to youth shelters during the period of the study, 118 were interviewed (67%). Of the 57 cases missed, 48 (84%) had presented at the largest youth shelter and 9 (16%) had presented at New York City Emergency Childrens Service. The reasons for missing cases were different at each site. Cases missed at the larger shelter had nearly always discharged themselves very shortly after admission. Cases missed at the Emergency Childrens Service had usually been transferred to a group home within a short period after presentation. By the time the research staff attempted to interview them at the group home they had already left and they failed to make contact with the research group when approached.

The shelter and emergency service records of these cases were examined by shelter and service staff. Summary demographic and other data were then provided to us so that the representativeness of the interviewed sample could be assessed (see Table 2). There were no significant differences between interviewed and

FILMED FROM
BEST COPY AVAILABLE

non-interviewed subjects on age, sex, race, repeat use of shelter, police referral to the shelter, reported involvement in pornography or prostitution, pregnancy, and alcohol or drug use. Significantly more of the non-interviewed subjects had been living with relatives before seeking shelter, and more indicated that they had left home because of interpersonal problems. A smaller proportion said they had left home because of abuse.

These differences suggest that the youth who discharge themselves rapidly have firmer links with home and perhaps less overwhelming reasons to run away. It is also possible, however, that the relatively briefer routine intake procedure elicited less information about abuse than our much lengthier procedure.

	INTERVIEWED (N=118)		NOT INTERVIEWED (N=57)		chi square	p
	N	%	N	%		
LIVING ARRANGEMENTS PRIOR TO ADMISSION						
Family/Kin	45/114	40%	46/51	88%	34.47	.001
Institution	21/114	18%	3/51	6%		
Streets	15/114	13%	0	0%		
Other	13/114	29%	3/51	6%		
LEFT HOME DUE TO ABUSE	30/105	26%	3/44	7%	6.06	.02
LEFT HOME DUE TO INTERPERSONAL CONFLICT	32/115	28%	36/47	77%	30.61	.001

TABLE 2 - Comparison of subjects who were interviewed in the study and those who were not

FILMED FROM BEST COPY AVAILABLE

FINDINGS

HOW MANY CHILDREN SEEK SHELTER?

During the two-week period of April 10-24, 1983, there were 175 non-overlapping presentations of children and adolescents aged 17 and under at the 16 youth shelters. During this period no youth aged 17 or under was turned away from any of the shelters which participated in this investigation. An informal examination of monthly admission rates to the largest shelter suggests that there are no significant seasonal variations in rate of admissions to youth shelters in New York City.

On an annual basis, therefore, there would be 4,550 admissions to youth shelters in New York City. However, 21 of the 118 examined cases (18%) had sought shelter during the previous twelve months. Assuming that the 18% annual repetition rate is the same for the non-interviewed and the interviewed group, there would be 3,731 different children presenting to New York City shelters each year.

Ninety percent of the youngsters were from New York City. Correcting for multiple presentations, 3,360 New York City residents can be projected to present in a 12 month period. New York City has a 12- to 17-year old population of 654,221. Thus the annual incidence of shelter presentation would be 515/100,000 or 0.5%. This is approximately one-third of the overnight incidence rate reported in the Opinion Research Corporation's Study (1976), suggesting that fewer than one out of three overnight runaways will present at a youth shelter. Projecting in turn from this, we can estimate that in New York City there are approximately 10,000 runaways per year, or about half of a frequently-cited estimate of 20,000.

FILMED FROM
BEST COPY AVAILABLE

DEMOGRAPHICS

Age: The age and sex of the shelter users are presented in Table 3. An increasing number of youth present in each additional year of adolescence, a finding which contrasts with previous studies in which the average age for running away was 15 or 16 years. For a detailed summary of differences between older and younger runaways, see pages 50 and 51.

Sex: The interviewed sample was divided evenly between males and females (see Table 3). This was broadly in accord with findings from previous studies in which a higher proportion of shelter users are female as compared to the proportion among runaways in general.

	Males		Females	
Age	N	%	N	%
12	4	7	0	0
13	5	9	5	9
14	6	10	8	14
15	10	17	13	22
16	15	25	15	25
17	19	32	18	31
TOTAL	59	100	59	100

TABLE 3 - Age and Sex of Shelter Users

Ethnicity: An overwhelming proportion of the runaways (93%) using the shelters are black or Hispanic (see Table 4). This compares with a rate of approximately 50% for the population of 5-14 year olds in New York City as a whole. We cannot conclude from this that black or Hispanic adolescents are more likely to run away than whites. Given the design of our study, it is likely that a greater proportion of minority runaways use shelters than whites, who may have better support systems to provide the same type of help given by shelters.

FILMED FROM
BEST COPY AVAILABLE

Ethnicity	Males N	Males %	Females N	Females %
White	4	7	6	10
Black	29	49	32	54
Hispanic	26	44	21	36
TOTAL	59	100	59	100

TABLE 4 - Ethnic Distribution

Place of Residence:

Eighty-eight percent of the boys and 92% of the girls were born in one of New York City's five boroughs (see Table 5). There is no evidence that the shelter-using population includes a sizeable proportion of outsiders drawn to the Metropolitan area. This finding has important implications for the possibility of implementing treatment involving families. The families of runaway children are at least geographically accessible to those agencies who provide help.

	Males N	Males %	Females N	Females %
New York City	50	88	49	92
New York State	1	2	0	0
New York Metropolitan region (N.J., Conn.)	2	4	2	4
Other U.S.	4	7	2	4
TOTAL	57	100	53	100

TABLE 5 - Place of Birth

Religion:

Forty-five percent of both girls and boys were Roman Catholic, which was the largest denomination represented in the group. This probably reflects the high proportion of Hispanics using shelters, although a higher proportion of blacks use shelters.

FILMED FROM
BEST COPY AVAILABLE

	Males		Females	
	N	%	N	%
Protestant	15	27	17	31
Catholic	24	44	24	44
Muslim	4	7	1	2
Agnostic/Atheist	4	7	4	7
Other	8	15	9	16
TOTAL	55	100	55	100

TABLE 6 - Religion

RUNNING AWAY

Previous Runaway Experience

We defined previous runaway experience as having, on at least one previous occasion, left leaving home with no plans of returning, or having stayed away for at least one night without the parents' knowledge or permission.

1. Ninety-two percent of the boys and 82% of the girls who presented at a shelter had run away before, although we do not have details about the duration of these runaway incidents (see Table 7).

2. Between one-third and one-half of the shelter users had had more than five previous runaway episodes.

	Male		Female	
	N	%	N	%
0	4	8	9	18
1-2	11	23	14	29
3-4	11	23	9	18
5+	21	45	17	35
TOTAL	47	100	49	100

TABLE 7 - Number of Previous Runaway Episodes

3. Only 8% of the boy and 18% of the girl first time shelter users had never run away before (see Table 7).

4. Boys are more likely to start running away earlier, and one-third had run away for the first time before the age of 12 (see Table 8).

5. A comparison between Tables 3 and 8 show that although nearly 60% of shelter users are aged 16 and over, only 20% of runaways has their first runaway episode after 16. In other words, most adolescents start running away some years before they start to use shelters.

6. One-third of the boys and one-fifth of the girls started running away before their teens and most of the rest started between the ages of 13 and 15 (see Table 8). Since much of the burden for shelter care comes from youth who ran away for the first time several years earlier, it would seem to make sense to focus preventive interventions with the younger runaways.

		Male		Female	
		N	%	N	%
3-6		1	2	1	3
7-9		5	8	3	5
10-12		15	25	8	14
13-15		27	46	36	61
16-17		11	19	11	19
	TOTAL	59	100	59	100

TABLE 8 - Age at First Runaway Episode

THE PRESENT EPISODE

Where the Children Ran From:

Where the young people spent the night before their admission to the shelter is indicated in Table 9. From this it can be seen that:

1. Many children who run away from home do have a parent or parents living in the metropolitan area. Data presented below reveal that a substantial number of them remain closely tied to their home and family.

2. Although only one out of five ran away from an institutional setting in this episode, half have spent some time in foster care (see pages 57 and 58). Running away from institutional placement (most commonly foster parent or group homes) is a problem of some magnitude and requires further investigation.

3. No child in our study had run away from a mental institution.

4. Before going to a shelter only a small proportion of shelter users had spent the previous night on the streets. This could indicate that for many there is an intermediate or transition phase between being on the streets and entering a shelter; that proportionately not many runaways spend their nights on the street; or else that youth who live on the streets represent a different population who do not use the shelters extensively.

		Males		Females	
		N	%	N	%
Family		25	44	20	35
Foster Care, Group Home or Other		11	19	10	18
Streets		10	18	5	9
Other		11	19	22	39
	TOTAL	57	100	57	100

TABLE 9 - Where Youngsters Spent Nights Before Entering Shelter

Reasons for Leaving:

We asked the young people what had made them leave where they were living before the current episode of running away or being homeless.

1. 25% said they had left because people there had hurt them or because of other violence (see Table 10). This under-represents the amount of violence and abuse in these young people's homes. In separate questions we ascertained that 50% of the study subjects had experienced significant abuse (see below).

2. Thirty-three percent of the boys and 25% of the girls left home because of a variety of interpersonal problems, usually an argument with a parent or sibling, most commonly over house rules, disagreement with a parent's boyfriend, etc.

3. Thirty-one percent of the boys and 37% of the girls left their most recent living arrangement because it was a temporary one, and they felt they had to leave.

	Male		Female	
	N	%	N	%
Temporary Home Setting	18	31	21	37
Unable to Contribute Money to Household	1	2	5	9
Neglected or hurt or victim of violence or sex	15	25	16	27
Interpersonal problems	19	33	13	23

TABLE 10 - Reasons for Leaving Last Residence

Which Shelter:

Seventy-five percent of intakes (131 out of 175) to shelters during the time period of the study were at the largest shelter. Seventy-five percent of the boys and 66% of the girls who were interviewed were seen at this facility. The next

largest group of interviewed study subjects, 17% of both girls and boys, came to
an emergency shelter located in Manhattan's East Village area. Seven percent of
the boys and 8% of the girls were seen at the City crisis placement service.

How They Learned About the Shelters:

We asked the youths who had directed them to the shelter (see Table 11).

1. Other adolescents were the most important source of information leading
to entering a shelter. Thirty-five percent of the boys and 17% of the girls went
to a youth shelter at the suggestion of a peer.

2. Social agencies and other shelters were sources of referral for 14% of
the boys and 28% of the girls.

3. Police referrals accounted for 10% of the admissions for boys and 9% of
girls.

4. Hotline services were not a significant source of referral to youth
shelters.

	Males		Females	
	N	%	N	%
Another Adolescent Runaway	16	27	7	12
Another Adolescent Non-Runaway	5	8	3	5
Social Agency	7	12	9	16
Another Shelter	1	2	7	12
Police	6	10	5	9
Adult Friend	7	12	4	7
Literature	1	2	0	0
Telephone Directory	1	2	5	9
Found it by self	0	0	1	2
Knew about it before	3	5	5	9
Other	12	20	12	20
TOTAL	59	100	58	100

TABLE 11 - Source of Referral to Shelter

PSYCHIATRIC PROBLEMS

We inquired about the mental state and symptoms of the shelter users in several different ways. We asked all of the youth we interviewed whether they had ever felt so depressed or so anxious that it had interfered with their being able to get on with life; whether they had ever attempted or contemplated suicide; if they had ever received care for a psychiatric condition; if they had ever been treated with psychotropic drugs, and whether or not they desired help at present for an emotional problem. We also inquired about trouble with the law and at school, and we asked about drug and alcohol use. Finally, at the end of the interview, the adolescent completed the Child Behavior Checklist which has been described above. Our findings from these evaluations are:

How Many Children are Disturbed

1. The average score for runaways on the Child Behavior Checklist was 55.2 (S.D. 26.[illegible]). A previous study (Shaffer and Gould, in preparation) found that the mean score on this form of the Checklist for adolescents attending a child psychiatric clinic is 57.07 (SD 28.45), i.e. not significantly worse than for the runaways.

2. Other forms of the Checklist have been standardized in a number of different normal and disturbed groups. A total score of 40 or greater has been found to represent a value above which most children and adolescents will be considered to have a significant psychiatric disability. Eighty-two percent of the shelter users had scores above 40.

This may actually under-estimate the amount of disturbance because we did not adopt any statistical weighting or substitution procedure to compensate for missing data and, as a fair proportion of youth failed to complete all of the items on the questionnaire we can assume that their scores would have been somewhat higher.

In summary shelter users have a psychiatric profile largely undistinguishable from adolescents attending a psychiatric clinic.

3. Thirty-eight percent of the youth stated that they needed help for emotional problems.

4. The high proportion of high scores and respondents who said they wanted help could simply reflect the degree of disturbance and upset associated with the runaway incident itself. However, 20% had previously received psychiatric treatment (see Table 12), and coupled with the high rate of school problems, previous court-related difficulties and suicidal behavior listed below suggests that much of the psychiatric disturbance was present before the runaway episode.

	Males		Females	
	N	%	N	%
	59		58	
Ever on Psychotropic Medication	12/48	25	45	13
Ever in a Mental Hospital	2	3	8	14

TABLE 12 - Previous Psychiatric Treatment

Types of Psychiatric Problem

We used a number of the key indicators described above to differentiate children into those with primarily: a) depressive and suicidal features (adolescents who had previously made a suicide attempt and/or who had felt so depressed that they were unable to get on with things and/or those who currently wanted help for depressed feelings or suicial ideas); b) antisocial features (previously charged with an offense or suspended or expelled from school); and c) a mixture of both.

Findings...

1. Seventy percent of the group fulfilled criteria for one or another of these categories (see Table 13). This figure is close but somewhat below the proportion of adolescents who scored 40 or more on the Achenbach Child Behavior Checklist.

2. Girls were significantly more likely to be in the Depressed Only group, boys in the Antisocial Only group and in the mixed group.

	Males		Females		All	
	N	%	N	%	N	%
Depressed only	9	15%	26	44%	35	30%
Antisocial Only	16	27%	5	8%	21	18%
Both Depressed and Antisocial	27	45%	22	37%	49	41%
Neither	7	12%	6	10%	13	11%

TABLE 13 - Types of Psychiatric Disorder

Mood Disorders - Depression, Anxiety and Suicide

1. No fewer than 33% of the girls and about 15% of the boys had previously attempted suicide. A further 33% of the girls had thought about suicide and about how they would commit it. Thirty-three percent of the boys had had contemplated or threatened suicide (see Table 14). This compares with reports indicating that about 10-12% of psychiatric outpatients have at some point made a suicide attempt (Mattson, 1969; Pfeffer, 1980; Lukianowicz, 1968).

	Males		Females	
	N	%	N	%
No Suicidal Behavior	37	63	23	40
Suicidal Thoughts or Threats Only	13	22	16	28
Suicide Attempts	9	15	19	33
TOTAL	59	100	58	100

TABLE 14 - Suicidal Behavior

2. Youth who requested counseling for depression or other psychiatric problems were more likely to have had academic difficulties at school and to complain of physical symptoms such as headaches. However, they were less likely to have admitted to stealing.

3. There was a strong relationship between requesting help for depressive symptoms and having suicidal preoccupations. Nearly 90% of the children who wanted such help had suicidal thoughts or preoccupations.

4. Thirty-three percent of the boys and 50% of the girls stated that they wanted help for their anxiety or depression. Twenty-nine percent of the boys and 44% of the girls stated that they desired help in relation to thoughts about suicide.

	Males		Females	
	N	%	N	%
Desires Help for Anxiety	13/35	37	17/38	45
Desires Help for Depression	11/38	29	23/43	54
Desires Help for Suicide potential	10/35	29	16/36	44

TABLE 15 - Adolescent Wanting Help for Mood Symptoms and Suicidal Concerns

Antisocial Behavior:

1. Thirty-seven percent of the boys and 19% of the girls had previously been charged with an offense, most commonly for assault or robbery.

2. Twenty-two percent of the boys and 10% of the girls had been in a detention center at some time, and 12% of the boys and 2% of the girls had been in a workcamp or prison.

3. In addition to crimes which had led to conviction or arrest, 28% of the boys and 12% of the girls, when asked directly, admitted to having stolen in the

last 3 months.

Differences between girls and boys were significant on all of these indices and are reported in greater detail on page 52.

	Males N	Males %	Females N	Females %
Assault	3	6	0	0
Armed Robbery	2	4	0	0
Robbery	5	10	1	2
Possessing Drugs	0	0	1	2
Other	2	4	0	0

TABLE 16 - Convictions Among Runaways

4. Three-quarters of the boys and half of the girls have been expelled or suspended from school at some time, mainly for fighting or drug use (see Table 17).

	Males N	Males %	Females N	Females %	chi square	level of significance
Ever suspended or expelled from school for any cause	42/59	71	26/59	44	7.8	.005
Ever suspended or expelled for fighting	25/52	48	19/41	46		n.s.
Suspended or expelled for drug or alcohol use	27/52	52	20/41	49		n.s.

TABLE 17 - Disciplinary Problems at School

Psychosis: Only two of the children we interviewed had a psychotic diagnosis (schizophrenia and schizoaffective psychosis). We do not believe that this is an underestimate. While the psychotic youngsters were hospitalized shortly after presentation, records of such transfers were kept by the shelters and followed up by the research team.

5. Seventy percent admitted to using drugs. Thirty percent had used three

or more drugs; 17% two drugs; and 23% one type of drug only.

6. Only three youths admitted that they thought they had ever used drugs to such an extent that they couldn't stop, but more than half of those who had ever used drugs indicated that someone objected to their use of drugs.

	Males		Females	
	N	%	N	%
RESPONDENTS	59	100	58	100%
Marijuana	42	71	40	69
Hashish	19	32	20	34
PCP (Angel Dust)	6	10	12	21
Psychodelics	7	12	12	21
Cocaine	14	25	20	34
"Uppers" (Stimulants)	5	8	8	14
Quaaludes	7	12	3	5
"Downers" (Soporifics)	1	2	7	11
Tranquilizers	3	5	6	10
Heroin	2	3	4	7
Other Narcotics	5	9	2	3
Alcohol to Intoxication Once a Week or More	11	19	10	17

TABLE 18 - Drug Use in Runaways

SCHOOL AND ACADEMIC ATTAINMENTS

1. Fifty-five percent of the boys and 47% of the girls had ever repeated a grade.

2. The mean standard reading score on the Reading Accuracy Test of the Wide Range Achievement Test was 89.76 (S.D. 20.03), compared with the average value for the general population of 100.

3. Fifty-nine percent of the boys and 54% of the girls are more than one standard deviation behind on their reading tests.

4. Only 16% of the boys and 10% of the girls were functionally illiterate with a reading age at a fourth grade level or less.

5. Questions about educational goals of the study youth revealed that many of them were ambitious. When asked how far they would like to go in school, 69% indicated that they would like to finish high school, and 41% expressed the wish to graduate from college.

THE HOME LIFE OF RUNAWAYS

Their Families:

1. Most of the children lived with their mothers, only 25% lived with both parents, and an even smaller proportion lived with their fathers (see Table 19).

		Males		Females	
		N	%	N	%
Mother		35	59	37	63
Father		8	14	6	10
Both Parents		16	27	16	27
	TOTAL	59	100	59	100

TABLE 19 - Parent Last Lived With

2. Twenty-seven percent of boys and 29% of girls came from homes with four or more youth. There was an association between large families and running away repeatedly, with nearly three times as many repeaters as new intakes coming from families with 4 or more young people at home.

Living Arrangements in the Past Year:

We asked the youths where they had been living during the year before presentation at the shelter.

1. About 25% had had no change in living arrangement during those 12 months. Forty-one percent experienced from one to three changes, while nearly a quarter of the sample (23.7%) had four or more changes.

2. Those with a past history of foster care placement (50%) had significantly more changes in living arrangements than youth without experience in the foster care system (a mean of 4.06 changes in contrast to a mean of 1.88; $t=4.36$, $p<.001$).

3. Adolescents who had used shelters before had had significantly more changes in their living arrangements than first-time shelter users (an average of

4 compared to 2.29) (t= -3.39, p= .001).

Parent's Poverty and Homelessness:

1. Adolescents who use shelters are not the children of homeless adults. None of the parents of study youth were currently homeless or living on the streets.

2. Forty-four percent of the adolescents had mothers who were on public assistance.

Mother's Age:

Twenty-nine percent of the boys and 20% of the girls were born when their mothers were aged 17 or younger (see Table 20).

	Male		Female	
	N	%	N	%
17 and under	14	29	10	20
18-24	21	44	23	46
25 and older	13	27	17	34
TOTAL	48	100	50	100

TABLE 20 - Mother's Age at Childbirth

Running Away in Other Family Members:

Half of the children had a family member who had run away previously. This may indicate that there is some specific factor, such as modeling or imitation, which predisposes runaway behavior. The siblings of runaways may therefore be regarded as a high-risk group.

	Male		Female	
	N	%	N	%
Mother ever run away or in shelter	9/47	19	9/55	16
Father ever runaway or in shelter	6/40	15	4/33	12
Siblings ever runaway or in shelter	21/55	38	23/57	40

TABLE 21 - Running Away and Shelter Use in The Family

Parental Mental Illness, Etc.:

1. Only 8 adolescents (7%) had a mother or father who had ever been in a mental hospital.

2. Family sociopathy was prevalent (see Table 22).

	Male		Female	
	N	%	N	%
Mother ever in Jail	7/57	12	8/55	14
Father ever in Jail	15/48	33	15/38	40
Either Mother or Father Uses Alcohol or Drugs to Excess	26/59	44	27/58	47

TABLE 22 - Parental Criminality and Substance Abuse

3. More than half of the parents were reported by their children to be alcoholic, substance abusers, or convicted criminals, or some combination of these (see Table 23).

	N	%
Parent alcoholic only	18	15%
Parent uses drugs only	6	5%
Parent has a conviction	13	11%
Any 2 of these	14	12%
Any 3 of these	13	11%
None	51	43%
TOTAL	115	

TABLE 23 - Alcohol, Substance Abuse and Criminality in the Parents of Runaways

Foster Care:

About half of the runaway youth (49% of boys, 51% of girls) had been in foster care at some time in the past. The characteristics which distinguish those who had been in care are presented on pages 57 and 58.

Returning Home:

1. Near the end of our interview we asked study youth if they would like to return home to live with their parents. One half of the boys and one-third of the girls indicated that this was their wish.

2. The desire to live with a parent or parents was present among youth from very deviant homes. Thirty-three percent of those with a parent who were frequently drunk or a substance abuser and 40% of those who had been abused said they would like to return home.

3. Forty-six percent of adolescents who had been in foster care wanted to live with a parent, compared with 37% of those who had not. This difference is not statistically significant.

4. When asked if they could live with their parents if they wanted to, 48% of the boys and 41% of the girls answered affirmatively.

5. Forty-three percent of the boys and 55% of the girls who felt they could return home were living with the mother only, 29% of the boys and 24% of the girls with both parents, and 29% of the boys and 21% of the girls with the father only. These proportions are not significantly different from those who felt they could not return home.

6. More first-time shelter users (60%) felt they could go home compared with 24% of repeaters.

SEXUAL BEHAVIOR AND GENERAL HEALTH

Sexual Activity:

1. Approximately three-quarters of each sex had had sexual intercourse.

2. Only 6% of the sexually active boys and 23% of the girls had used some form of contraceptives in the past 3 months.

	Male		Female	
	N	%	N	%
Ever Had Intercourse	45/59	76	43/58	74
Adolescents Who have had Intercourse in Last Three Months who Used Birth Control	2/33	6	6/26	23

TABLE 24 - Sexual Activity and Contraception

3. One-third of all the girls have been pregnant, but only half of those ever pregnant now have a baby.

4. The girls who had been pregnant did not differ from those who had never been pregnant with respect to psychiatric problems, history of suicidal behavior, etc.

5. By contrast there was a strong relationship among boys who had fathered a baby (19%) and antisocial behavior. Fathers had significantly more court appearances (10/11, $x^2 = 13.95$, $p = .0002$), and convictions (6/11, $x^2 = 7.73$, $p = .005$).

6. Twenty-five percent of the girls stated that they had been raped at some time in their lives, but only 2% admitted to have been molested by a family member.

7. Approximately 10% have had homosexual experiences, but we do not know how

many consider themselves 'gay.'

8. Very few of the young people--2 boys and 2 girls--admitted to prostitution or to posing for pornographic photographs. It is possible that because of its criminal nature and the newness of their relationship with the interviewers, this was under-reported and some youngsters were reluctant to talk freely. On the other hand, all subjects were assured that their responses would be held in strict confidence and not attributed to them. They were also told that the study group had a "Certificate of Confidentiality" from the Justice Department which protects individual files from subpoena by a court or administrative body.

Health Problems:

1. Forty-two percent of the girls and 58% of the boys had experienced flu symptoms within a week of being interviewed. It may be that we carried out our study during the course of a viral illness epidemic. On the other hand, the high prevalence of symptoms may also have been indicative of lowered disease resistance during a period of stress, or that lowered stress resistance during or following a period of minor physical illness may have made the youngest more likely to run away in response to a frustration.

2. One-sixth of the children who had not had a fever complained of headaches.

3. The prevalence of a number of health problems unlikely to be related to an intercurrent infection is listed in Table 25.

	Male		Female	
	N	%	N	%
Toothache	7	12	11	19
Poor eyesight	10	17	15	25
VD	1	2	3	3
Gyn problem	0	0	6	10
Lice	0	0	2	3

TABLE 25 - Health Problems

4. Even though 15% of the group were complaining of toothaches, access to dental care seemed satisfactory. Sixty-five percent of the boys and 70% of the girls stating that they had seen a dentist in the past year.

WHAT HELP WOULD THEY LIKE?

It is of interest that when asked what they wanted when going to the shelter, many youth expressed needs beyond the requirements for food and shelter.

1. Fifty-six percent indicated that they would like help in getting a job.

2. Forty-seven percent wanted counseling for problems with thoughts and feelings.

3. Twenty-five percent said they wanted medical care.

4. Twenty-six percent said they wanted protection from people they were afraid of.

FILMED FROM
BEST COPY AVAILABLE

RUNAWAY OR HOMELESS?

One of the goals of the study was to determine who among shelter users were runaways and who were homeless. The problems of defining these groups has been referred to in the introduction.

We looked at it in several ways.

a) Our first approach was to ask the youth if his biological of adoptive mother and father were currently homeless. None of them were. Inasmuch as all of the youth were in the care of a parent or a welfare agency, none could be considered legally homeless.

b) We asked them if they knew the whereabouts of their parents. Eighty-nine percent indicated that they knew where their mothers were, and 64% where their fathers were living. Only seven youth did not know the whereabouts of either parent. Using this criterion 6% were homeless.

c) We asked where they intended to go when they left the youth shelter. Twenty-four percent stated that they planned to return to their family setting, 17% to foster care, and 20% to independent living. The remaining 39% did not know. This reflects the uncertainty and confusion that characterizes these children, but does little to answer the question of who is homeless.

d) We asked the youth if they could or would go home to live. Fifty-six percent said they could not. When asked if they wanted to live at home, 60% said they did not.

e) We asked the youth what they considered to be their permanent home. Twenty percent said that they had no home, and about 14% stated that home was a youth shelter, yielding a homelessness rate of 34%.

f) We finally asked the youth how they saw themselves. Did they consider themselves to be runaway or homeless? We did this by posing the following question: "The people doing this study think of a runaway as someone who has run away from where they were living without the permission of the adults there, and a homeless youth as someone who has no place for shelter where there is a responsible adult. Would you call yourself a runaway? or homeless? or both?" Forty-four percent classified themselves as runaways, 40 (34%) as homeless, and 26 (22%) indicated that they were both runaway and homeless.

Answers to this question were strongly related to age. Ninety percent of those who identified themselves as homeless were age 15 or older, and most of those aged 14 and younger said they were runaway (see Table 26).

	Self-Designated					
Total Sample[1]	Runaway 52		Homeless 40			
Variable	N	%	N	%	Chi Square	Level of Significance
Age						
14 and younger	19/52	37	4/40	10	7.14	.01
15 and older	33/52	63	36/40	90		

TABLE 26 - Age Differences in Self Designated As Runaway or Homeless

We can say that no youth can legally or administratively be homeless. If they have no parent available or willing to provide a home, society is under a statutory obligation to do so. However, this does not reflect how these youngsters, most all of whom initiated the running away themselves, see themselves. Between one-third and one-half—no matter what the law may say—feel that they have no home to go to.

SPECIAL GROUPS

In the sections which follow we describe the characteristics of certain subgroups: the young; the girls; those who have used shelters repeatedly; those who have been abused; those who have been in foster care; and those who are psychiatrically disturbed. We have also compared the children who regard themselves as homeless with those who consider themselves to be runaways. In each case we compare the subgroup in question with the rest of the young people we studied. After defining the two groups we list in a table the significant and near significant differences between them (p=.1). We have examined differences on a total of 99 variables (see Appendix) and therefore we might expect to find differences on 5 variables by chance alone. We are listing differences which may have occurred with a chance probability of between 5 and 10% because in a preliminary study such as this, differences which might have occurred by chance or which might be meaningful could indicate useful study areas for other groups. Variables not listed can be presumed not to differentiate between sub-groups.

THE YOUNG

We compared the 28 children (aged 4 to 14) with the 90 adolescents aged 15 to 17 (see Table 27).

1. In general, the younger group seemed more stable. They had run away significantly less often in the past, and had more substantial links to school and home. These findings suggest that they may be the most suitable group for preventive intervention.

2. Fewer in this group had ever repeated a grade in school.

3. Fewer of them were sexually experienced or had been pregnant.

Findings...

	14 and under		15 and older		Chi Square	Significance Level
Total Sample	28		90			
Variable	N	%	N	%		
Living Arrangement For last full year						
family/kin	25/25	100	59/73	81	5.59	.06
institution	0		10/73	14		
other	0		4/73	5		
Lived With parent in Last 3 Months	13/20	65	28/70	40	2.98	.08
Attended School Since September	26/27	96	67	74	4.82	.03
Ever Repeat a Grade in School	9/27	33	50/89	56	3.46	.06
Ever had Sexual Intercourse	13/27	48	75	83	11.97	.0005
Pregnancy Result of Sexual Intercourse	0/14	0	11/42	26	3.05	.08
Ever Pregnant (girls only)	1/12	8	19/46	41	3.24	.07
Have at least one Child	0	0	14	16	4.94	.08

TABLE 27 - Significant and Near Significant Differences Between Younger and Older Runaways

FEMALES

The main difference between boys and girls was in the nature of their psychiatric symptoms (see Table 28). These differences are similar to those found in the general population in that the males show more antisocial behavior and the females show more symptoms of mood disturbance, including suicidal behavior. Probably because of the excess of suicidal behavior girls were significantly more likely to have had a psychiatric hospital admission in the past and to currently want treatment for depressive symptoms. Boys, on the other hand, were more likely to have had contact with the law by having had charges brought against them, made a court appearance, or having been convicted or imprisoned. They were also more likely to have been suspended or expelled from school.

	Boys		Girls		Chi Square	Significance Level
Total Sample	59		50			
Variable	N	%	N	%		
Sad or Down	28/50	56	39/46	85	8.10	.004
Anxious/Scared	20/50	40	28/46	61	3.38	.07
Suicide Attempt	9	15	19/50	38	6.19	.01
Desires Counselling for Depression	11/38	29	23/43	53	4.03	.04
Ever in a Psychiatric Hospital	2	3	8/50	16	2.83	.09
Contact with Law	46	78	27/58	47	10.999	.0009
Stealing in Last Three months	16/58	28	7/58	12	3.47	.06
Court Appearances	22	37	11/58	19	3.99	.05
Number of Charges Leading To Court Appearance	12	20	3/58	5	4.79	.03
Convictions	12/58	21	2	3	6.41	.01
Took Downers	1	2	7/58	12	3.45	.06
In Workcamp/Prison	7	12	1	2	3.15	.07

TABLE 28 - Differences Between Boy and Girl Runaways

REPEAT SHELTER USERS

Our figures indicate that at any one time approximately 40% of the adolescents present at a shelter had been in one previously. No fewer than one-third had been in a shelter more than twice before. For a number of reasons it is important to study this group. The help that they received previously must be regarded as having been inadequate. They use more than half of the available shelter resources, and therefore contribute disproportionately to the cost of assistance targeted to runaways. They have shown themselves to have a poor prognosis during adolescence. It is therefore reasonable to predict that this poor outcome will persist into adult life. They may be part of the group that will eventually become homeless adults (although we have no direct evidence to support this hypothesis).

We compared the characteristics of 73 first-time and 45 repeat shelter users. The differences between them are presented in Table 29.

1. Repeaters had run away more often and had had significantly more changes in their living arrangements than first time shelter users (p<0.20).

2. Repeaters can be viewed as having fewer connections with their home background than first time users. Fewer had spent the night before in family or kin living arrangements, fewer had lived with a parent for more than three months in the past year, and fewer felt that they could live with their parents if they wanted to. Fewer had attended school in the past 7 months.

3. More repeaters had had serious legal problems leading to incarceration, and a higher proportion had lived at some time in a foster care setting.

4. Although repeaters and first time attenders do not differ in the number of psychiatric symptoms, they do differ in the extent to which they want help. More repeaters wanted help for anxiety, depressed mood, and suicidal potential.

Since the repeaters were not more symptomatic, th ir need for help may again reflect their greater isolation and weaker support systems.

Total Sample	New Intakes 73		Repeaters 45		Chi Square	Significance
Variable	N	%	N	%		
Where Spent Night Before Shelter					7.3	.10
Family	34/71	48	11/44	25		
Institution	9/73	12	12/44	27		
Streets	8/71	11	7/44	16		
Other	19/71	27	14/44	32		
Recently Lived With Parent for at Least 3 Months in the Past Year	31/53	58	10/37	27	7.47	.01
Ever in a Group Home	15	21	29	64	21.1	.001
Number of Young People in Adolescent's Home					9.27	.01
3 or fewer	57/69	83	22/41	54		
4 or more	12/69	17	19/41	46		
Attended School Since September	65/72	90	28/45	62	11.7	-.001
Ever in a Detention Center	8	11	11	24	2.82	.10
Desires Counseling for Anxiety	14/44	32	16/29	55	3.03	.10
Desires Counseling for Depressed Mood	15/49	31	19/32	59	5.45	.02
Desires Counseling for Suicidal Potential	11/42	26	15/29	52	3.78	.05
Adolescent Feels he/she Can Live with Parents	31/52	60	9/38	24	10.01	.01

TABLE 29 - Comparison Between First Time Admissions and Repeaters

YOUTH WHO HAD BEEN ABUSED

Exactly half (59) of the adolescents had been abused by one or both parents. Child abuse was defined as repeated assaults by a parent that resulted in welts and bruises or, even if not repeated, had led to treatment in a hospital. Significant and near significant differences between non-abused youngsters are presented in Table 30.

1. Blacks were over-represented and Hispanics were under-represented in the abuse group.

2. Abused adolescents were more likely to have a parent who had used drugs or alcohol to excess.

3. More of the abused youth had run away from home previously.

4. More of the abused girls had been pregnant.

5. Abused youth showed greater disturbance in several areas; they were more likely to have ever felt nervous or anxious and to have either threatened or attempted suicide.

Total Sample	Never Abused 58		Ever Abused 59			
Variable	N	%	N	%	Chi Square	Level of Significance
Race						
White	6	10	4	7	6.23	.04
Black	23	40	37	63		
Hispanic	29	50	18	30		
Either Parent Abused Drugs or Alcohol	20/58	35	33	60	4.6	.03
Ever Pregnant (Girls Only)	3/30	10	8/26	31	2.6	.106
Ever Felt Nervous/ Anxious	20/49	41	28/46	61	3.06	.08
Suicidal Behavior						
Attempt	9/57	16	19/59	32	9.04	.01
Threat	11/57	19	18/59	31		
Ever in a Mental Hospital	2	3	8	14	2.74	.098
Ever Ran Away Before	34	59	45	78	3.97	.05
Less than 4th Grade Reading Level	11/56	20	4/58	7	3.01	.08

TABLE 30 - Comparison of Young People Who Had Been Abused and Those Who Had Not

YOUTH WHO HAD BEEN IN FOSTER CARE

Half of the young people (N=59) who came to shelters had previously lived in a setting provided by the Child Welfare system, either with a foster family, or in a group home or other child care institution. Differences between those who had been in foster care and those who had not were:

1. They present a picture of considerable instability. They had experienced significantly more changes in their living arrangements in the year prior to the present runaway episode, had run away more often, and had used youth shelters in the past more frequently than runaways who had never been in care.

2. Fewer felt that they could return to live with a parent, but more of them (a non-significant difference) wanted to live with their parent than those who had never been in foster care.

3. They showed more deviant behavior. Three times as many had been prescribed psychotropic drugs and nearly 5 times as many had had a psychiatric hospitalization. They had significantly higher scores on the Achenbach Child Behavior Checklist. More had been arrested, had committed serious crimes, and had used a variety of drugs. More of them were sexually experienced.

4. The question arises, did the welfare care experiences contribute to this instability or are unstable children more likely to receive assistance from welfare and foster services? Insofar as our data can be used to answer this question, the latter seems more probable. The care group showed a number of differences. More were younger when they started running away (39% had run away for the first time before the age of 13, compared with 17% of the group that had not been in care) and there were significant differences in their parents. The care group mothers were nearly three times as likely to abuse drugs or alcohol and they were more likely to have run away from home themselves in the past.

Total Sample	Never In Foster Care 59		Ever In Foster Care 59			
Variable	N	%	N	%	Chi Square	Level of Significance
Where Spend Night Before Shelter Entry						
Family/Kin	27/56	48	18/58	31	14.56	.002
Institution	3/56	5	18/58	31		
Streets	6/56	11	9/58	16		
Other	20/56	36	13/58	22		
Number of Times in Shelter (Recidivists Only)						
One	20/32	63	19/50	38	9.5	.02
Two	8/32	25	9/50	18		
3-5	4/32	17	18/50	36		
6 or More	0	0	4/50	8		
Number of Previous Runaway Episodes						
None	9/44	20	1/52	2	25.79	<.0000
1 or 2	17/44	34	11/52	21		
3 or 4	12/44	27	8/52	15		
5 or more	6/44	14	32/52	62		
Mother Often Intoxicated	6/55	11	18/59	31	5.45	.02
Mother ever Run Away	5/53	9	13/49	27	4.01	.05
Subject Could Live With Parents	27/44	61	13/46	28	8.[illegible]	.003
Ever had Intercourse	38/59	64	50/58	86	6.[illegible]	.01
Ever Had Contact with Law	29/59	34	44/58	76	7.79	.005
Ever Had Court Appearance	8/59	14	25/58	43	11.19	.0008
Ever Convicted of Crime	1/58	2	13/58	22	10.06	.001
Used Marijuana	32/59	54	50/58	86	12.77	.0004
Used Psychodelics	5/59	8	14/58	24	4.19	.04
Used Cocaine	12/59	20	23/58	40	4.32	.04
Used Quaaludes	2/59	3	8/58	14	2.[illegible]	.09
Used Uppers	2/59	3	11/58	19	5.69	.02
Ever Prescribed Psychotropic Medication	5/49	10	13/44	30	4.39	.04
Ever in a Mental Hospital	2/59	3	8/58	14	2.83	.09
Achenbach Score Compared to ≥ 57.06 (Clinic Median Score)	20/57	35	31/56	55	3.9	.05

TABLE 31 - A Comparisons of Youth With and Without Histories of Foster Care Placement

THE PSYCHIATRICALLY DISTURBED

As we have already indicated an overwhelming majority of the children--between 80 and 90%--appeared to have significant mood and behavior problems.

We were interested in examining the distinguishing features of those who showed many symptoms or few symptoms or signs of psychiatric disturbance. To do this we compared that quarter of the study group with the highest (most deviant) scores on the Child Behavior Checklist (≥ 74) with the quarter with the lowest (most healthy) score (≤ 34). There were 29 adolescents in each group.

1. Not surprisingly, significantly more of the group with the highest scores reported being anxious, sad or depressed and more had made a previous suicide threat or attempt; more had appeared in court and had been convicted or incarcerated; more used alcohol, marijuana, hashish and uppers; more of them had had psychotropic drugs prescribed for them in the past; and more desired help for current emotional difficulties.

2. Of greater interest are the differences in the background of these two groups. The more disturbed group included more children who had experienced family violence (including abuse by mothers and fathers), and more of them had been raped (although this involved only a small number). More had lived with their fathers and fewer with their mothers, and more had had a residential placement in the welfare system.

3. More of the disturbed children had run away frequently, although they had not started earlier.

4. The disturbed group were most likely to present at the largest youth shelter in midtown Manhattan. This may reflect the more restrictive and selective access to the smaller shelters which emphasize long-term stays. This finding

underlines how important it is for psychiatric staff to be available at such facilities.

Number[1]	Least Disturbed 29		Most Disturbed 29		Chi	Level of
Variable	N	%	N	%	Square	Significance
Number of Previous Runaway Episodes					7.53	.057
None	7/22	32	1/26	4		
1 or 2	5/22	23	7/26	27		
3 or 4	5/22	23	6/26	23		
5 or more	5/22	23	12/26	46		
Abuse by Mother	2/22	9	9/22	41	4.36	.04
Abuse by Father	2/22	9	10/23	43	5.15	.02
Family Violence					6.79	.03
No violence	14/22	64	7/22	32		
Verbal Violence but no Hitting	6/22	27	6/22	27		
Hitting	2/22	9	9/22	41		
Parental Living Arrangement					6.74	.03
Mother	21/29	72	16/29	55		
Father	0	0	6/29	21		
Both parents	8/29	28	7/29	24		
Ever Raped	1/23	4	7/25	28	3.27	.07
Desires Counseling for Depression	2/13	15	14/23	61	5.24	.02
At Largest Shelter	16/29	55	24/29	83	3.5[illegible]	.05
Felt Sad/Down	12/23	52	20/24	83	3.91	.05
Felt Nervous/Anxious	7/23	30	16/24	67	4.8	.03
Suicidal Behavior					27.63	<.0000
No Threat or Attempt	25/29	86	5/29	17		
Threat Only	2/29	7	13/29	45		
Attempt	2/29	7	11/29	38		

TABLE 32 -Comparison of Psychiatrically Most Impaired (Achenbach score in highest quartile) and Unimpaired (Achenbach score in lowest quartile)

[1] The middle two quartiles (N=58 subjects) were eliminated from this analysis.

Total Sample[1]	Unimpaired 29		Impaired 29			
Variable	**N**	**%**	**N**	**%**	**Chi Square**	**Level of Significance**
Desires Counseling for Nervous/Anxious	2/12	17	14/21	67	5.77	.02
Desires Counseling for Uptight/Tense	0	0	16/23	70	10.86	.001
Ever had Psychotropic Drugs	2/21	10	10/24	42	4.39	.04
Ever Had Contact with the Law	13/29	45	23/29	79	5.93	.01
Court Appearances	1/29	3	8/29	28	4.73	.03
Convictions	1/29	3	8/28	29	5.00	.03
Workcamp/Prison	0	0	5/29	17	3.5	.06
Used Marijuana	16/29	55	25/29	86	5.33	.02
Used Hashish	6/29	21	13/29	45	2.82	.09
Used Uppers	1/29	3	7/29	24	3.63	.057
Gets Drunk						
Not at All/Less than 1/Week	27/29	93	18/29	62	6.35	.01
Once Weekly or More	2/29	7	11/29	38		
Ever in Foster Care	9/29	31	20/29	69	6.90	.009
Desires Counseling for any Problems	3/14	21	18/24	75	8.21	.004

TABLE 32 -Comparison of Psychiatrically Most Impaired (Achenbach score in highest quartile) and Unimpaired (Achenbach score in lowest quartile)
(Continued)

[1] The middle two quartiles (N=58 subjects) were eliminated from this analysis.

SUMMARY OF FINDINGS

A. What We Did:

This report presents the findings of an interview survey that we undertook with all children and adolescents aged 17 and under who presented at the different shelters which are officially registered with the City of New York during a two week period April 10-24, 1983.

B. How Many Children Use Shelters:

1. 175 different youth presented at the shelters during this time.

2. A single New York institution serves about 75% of all youth shelter users.

3. Projecting from the number we counted and correcting for youth who present at a shelter more than once in a year, we conclude that approximately 3,700 youth under age 17 will seek help at New York City shelters each year. Of these, 90% or 3,360 will be local New Yorkers.

4. The incidence of seeking shelter among New York City residents aged 12 to 17 can therefore be estimated to be 0.5% per annum.

5. Drawing comparisons from other studies it seems likely that approximately one in three episodes of running away will result in presentation to a shelter, i.e. that 10,000 New York City youth run away each year. This figure is tentative because it involves a number of indirect extrapolations.

6. This is half the figure of 20,000 runaways for New York that has previously been estimated. This may be because the previous estimates included a large number of youth who used a City resource but did not receive overnight shelter. Also the larger estimate did not take into account repeat presentations by a single individual. As the details of how the data that led to the City estimate have not been published, we cannot provide a more specific analysis of the discrepancy.

7. 3,360 youth is nevertheless a very large number. The magnitude of the problem does not lie solely in numbers. The young people we studied were a needy group and many had already had extensive contact with human service systems.

8. We find it difficult to differentiate between runaway and homeless youth. All youth under the age of 17 are the responsibility of an adult whether it be their biological parent or a designated agency, and none were the offspring of homeless adults. Consequently, none of the children are homeless in the sense that is described in legislation. However, using a variety of different criteria, between one- and two-thirds "feel" they have no home to go to.

9. Among young people the difference between being homeless and being a runaway lies largely in how the youth perceive themselves. This perception is strongly related to age with older youth being the most likely to consider themselves homeless and younger ones being more likely to see themselves as runaways.

C. Which Children? Where Do They Come From?

1. The number of youth who present at shelters increases with age. No youth under the age of 12 presented during the study period, the least number were aged 12, and the greatest were aged 17.

2. Younger runaways, those aged 15 and under, are more likely to have attachments to home and school. They are more likely to have been at a parent's home on the night before running away and are more likely to have attended school regularly during the previous six months and less likely to have repeated a grade than 16 and 17 year olds.

3. As many girls as boys present to the New York City shelters.

4. Boys and girls differ mainly in their patterns of psychiatric disturbance. Girls are more likely to have a history of suicidal behavior and to

have been hospitalized because of that. They are less likely to have shown anti-social behavior and to have encountered problems with the law.

5. A great majority (over 90%) of New York City shelter users are Black or Hispanic. We do not know whether this reflects a disproportionate amount of running away among minority youth (this has not been a finding in a different nationwide study) or whether when Black and Hispanic adolescents run away they are more likely to go to a shelter, perhaps because they cannot call on other, more personal resources.

6. Most shelter users were born and had their homes within the five boroughs of New York City or the immediate metropolitan area. We did not find that shelters are used to any appreciable extent by out-of-towners.

D. When Did They Start? How Often Do They Do It?

1. Running away behavior is a chronic problem among many shelter users. Ninety percent of the boys and 80% of the girls had run away before.

2. About 20% of all the young people had been to a shelter previously. Clearly a considerable part of shelter activity is given over to youth who run away repeatedly.

3. Youth who have been to a shelter previously are older and are less tied to their homes than first time users. This was shown by the fact that fewer of them had lived with either parent in the last three months and fewer had attended school in the previous six months. More repeaters than first timers had been in a group home or in foster care.

E. What Have They Run Away From?

1. Home life is stressful for most of the youth who use shelters and family disputes are responsible for initiating most runaway episodes.

2. Fifty percent of the children had experienced abuse from parents such

that they had repeatedly sustained bruises, cuts or welts or else had had to receive treatment in a hospital on at least one occasion.

3. Two thirds of all of the runaways had moved home at least once in the previous 12 months and one-quarter had moved at least four times.

4. Only one-quarter of the youth came from a home in which both biological parents were present. Most of the others lived with their mothers, and a small proportion lived with their fathers. This group proved to be more disturbed.

5. Many of the youth came from homes characterized by social deviance. Approximately 60% of the youngsters had parents who had either been convicted of a crime, or who drank or took drugs excessively.

6. Approximately one-quarter of the youngsters were born when their mother's were aged 17 or less.

7. Runaway behavior is common in other family members. Thirty-nine percent had a brother or sister who had run away. One in six had a parent who had run away. This raises the possibility that running away behavior is in some fashion a learned behavior.

8. Despite the very significant amount of family pathology present, a surprising proportion (40%) said that they could and would like to live at home. This applied even to youth who had been abused or whose parents drank to excess and used drugs. Our research design does not enable us to state whether or not this group will have a better prognosis than others.

9. Eighteen percent had run away directly from a foster care or a group home.

10. Approximately 50% of the youth had been in foster care at some time. Youths who had been in foster care were more impaired psychiatrically and socially. This did not seem to be a result of foster care, for these youth had

any other adverse background factors which were likely to have antedated their entry into foster care.

F. Psychiatric and Educational Problems and Running Away

1. Using a number of different criteria it seems that mental health problems are present in between 70% and 90% of the youth. The scores of runaways on a measure of behavioral and emotional symptoms were almost identical to those of youth attending a child psychiatric clinic.

2. Three types of psychiatric problems predominate among the runaways: a) depression and suicidal behavior (30%); b) antisocial behavior (18%); and c) a combination of these (41%).

3. No fewer then one-third of the girls and a sixth of the boys had previously made a suicide attempt.

4. None of the youth had recently run away from or been discharged from a mental health institution. Only two of the runaways were psychotic. These findings contrast with the high rate of psychosis and recent hospital discharges or elopements among the adult homeless.

5. It seems likely that the psychiatric disturbance that we found in the runaways is not solely a consequence of the distress that they are currently experiencing. Many of the disturbed youth had a history of earlier psychiatric problems as evidenced by getting into trouble with the law, being expelled from school and earlier psychiatric treatment.

6. Most runaways had been in trouble in school, mainly because of fighting or drug use. Seventy-one percent of boys and 44% of girls had either been suspended or expelled from school at some time.

7. Runaways are not a strikingly backward group academically, although many had been held back at school. Ten percent were seriously delayed in reading

FILMED FROM
BEST COPY AVAILABLE

(reading at below fourth grade level).

F. Sex and Pregnancy and the Runaway

1. Runaways as a group are sexually active.

2. We found little evidence from our interviews that they are engaged to any important extent in pornography or prostitution. It may be that juvenile prostitutes do not need to use shelters or that if they do, they did not reveal this part of their background to our interviewers. This finding does not preclude the suggestion that shelters prevent involvement in prostitution.

3. Most sexually active runaways do not use contraceptives.

4. Not surprisingly, the girls have a high pregnancy rate (16%).

5. Girls who have been abused are less likely to use contraceptives and, if pregnant, less likely to seek an abortion than non-abused girls.

6. There is considerable variation in the availability of on-site family-planning counselling at different shelters.

FILMED FROM
BEST COPY AVAILABLE

CONCLUSIONS

A large number of New York youth find themselves unable or unwilling to live at home or in a designated foster or group home each year. More than half of the youth we studied came from homes characterized by violence, drug and alcohol use and abuse. Many have moved from one living situation to another and will continue to do so. A substantial number have endured violent behavior at home, and many are now inflicting it on others and have encountered difficulties with the law. They are emotionally troubled and a very high proportion of them have either attempted to end their lives or have thought of doing so.

It may be that running away sometimes serves an adaptive purpose, and that a runaway episode will bring about a resolution of a family crisis and lead to more stable conditions. However, our study was not designed to investigate this and we found no evidence of any sort that it was. Young people who had run away repeatedly were less likely to have any connection with their homes, they were less likely to be tied in with any educational system, and even though they were no more disturbed than non-repeaters, they felt more in need of help for emotional difficulties. It is not improbable that at least some of these difficulties are a secondary consequence of running away and that running away brings increased isolation from familiar support systems which is not easily compensated for.

We are satisfied that psychiatrists or other mental health professionals have a key role to play in the problem of the runaway youth. Most of the teenagers we examined, although frequently personable and empathic, gave an account of clearly disturbed behavior or emotions. The chaotic circumstances in which the young people find themselves do not lend themselves to the orderly use of conventional clinical facilities. Clinical services need to be brought to them.

FILMED FROM
BEST COPY AVAILABLE

Conclusions...

This study has revealed a previously undocumented mental health problem, and a suitable public mental health service response is indicated. The needs of the young homeless are as much for skilled psychological services as for bricks and mortar shelter.

The prevailing practice among shelters is to provide counseling for a proportion of youth on their own. Only a very few receive help along with their families, yet most are suffering from family problems. Sometimes these are acute, but perhaps not intractable. In other cases the relationship with the family has essentially terminated but no adequate substitute has been found. The welcome acceptance given to individual youth is in the best tradition of refuge and shelter. However, the psychological consequences need examination. Are there cases when shelters by their very welcome inadvertently reinforce runaway behavior without addressing its root causes?

The burden of providing shelter for these youth falls largely on one humane and efficient organization at a single site. It receives most of its support from voluntary contributions. The standard of care that it provides contrasts markedly and favorably with what is available for the adult homeless. The concentration of such a large group of needy youth at a single location provides an opportunity for efficient mental health screening and triage.

Although the care and services provided at the largest shelter are in most respects outstanding there are potential problems which follow from such a degree of centralization. It may limit access for those youth who are in need of help but who are anxious about venturing into mid-town Manhattan; any single institution soon develops a culture of its own and this may also serve to inhibit its use by youth who are in need of help but who may not feel that they belong in given shelter. The creation of satellite shelters in other areas of New York is on the face of it a desirable goal.

FILMED FROM
BEST COPY AVAILABLE

There is no evidence in the scientific literature that any one method of management of runaways is either more effective or more economical than any other. What benefits follow from short-term counselling involving both the youth and the family? Is such treatment beneficial only in subgroups such as those who have substantial ties to home and school and who have just started to run away? Would it help other groups as well or would it not help any? Are smaller shelters with their inevitably more personal approach or large shelters with the rich variety of ancillary services that this can offer more effective therapeutically? What is the right policy on re-admission? Would selectively limiting re-admission add to the youth's burden of stress and disability or might it enhance coping behaviors? These and many other important questions cannot be answered without the development of pilot programs coupled with careful evaluation strategies and methods.

FILMED FROM
BEST COPY AVAILABLE

RECOMMENDATIONS

Recommendations for Mental Health Services

As indicated above, the high rate of psychiatric disorder in runaway youth and their concentration at relatively few sites offers important opportunities for psychiatric intervention.

The goals of such intervention would be:

1. To relieve immediate psychological distress.

2. To identify individuals at risk for suicide and to treat them.

3. Where possible to negotiate some accomodation between the youth and their family to reduce the problem of repeated runaway episodes.

4. To facilitate stable placement for youth who run away repeatedly and who have few links with home.

Our data gave some clues about different subgroups that might benefit from different interventions. Younger, first time runaways, who still have ties to the family may benefit from brief, focussed, family therapy intervention in which the overall goal is resolution of the family conflict which led to the runaway episode. Preservation of family ties throughout early adolescence has economic, social and psychological benefits which cannot easily be replaced.

Organization and Placement of Services: Psychiatric services should be available on-site at the major brief-stay shelters, or in the form of mobile team for the smaller, intermediate or longer-stay units.

There would be advantages to linking on-site services with an outside institution such as a University, Hospital or public funded community psychiatric service with expertise in the area of child psychiatry. Such links might facilitate recruitment of skilled personnel, bringing to the site trainees who would acquire skills in the management of this problem and assist, at low cost, in service delivery. They would also provide the necessary backup services for youth who need long term or specialized psychological care, and might provide the necessary research backup that should accompany the introduction of any new program.

Screening: Given the volume of new referrals, brief screening procedures conducted by existing intake staff should be instituted to identify cases with special psychological needs who could then receive a more intensive evaluation at a second stage.

Such cases would include:

a) Youth with substantial links to their families and a very recent onset of runaway behavior. This group should be evaluated in detail to determine their suitability for an intervention which includes the family. In order not to overload the system with long-term cases, family work would need to be of limited duration.

b) Youth who are acutely depressed and who pose a suicidal risk. These phenomena may not be readily apparent at the time of interview and special questions or questionnaires need to be used at the intake stage. When such cases are identified, they would appropriately be referred to mental health staff for immediate evaluation and intervention and if necessary be referred to an affiliated psychiatric clinic.

c) Youth whose runaway behavior has become "chronic". Older youth, particularly those with histories of foster care placement and repeated runaway episodes, are less likely to have family support in place. The appropriate management for these youth will vary and may include some form of sensitive case management or longer term treatment during which residential care, apart from family or kin, is provided. These "chronic" runaways may be the very cases that are most likely to discharge themselves prematurely from a shelter before case management can be offered. Developing intervention units whose activity is focussed on this group may improve outcome. Some models have been developed for the long term management of these youngsters. However there is room for more innovation and experimentation coupled with meticulous evaluation in devising effective residential care for homeless adolescents to prepare them for the transition into independent living as they "age-out" of the child welfare system.

For Other Services:

1. During the period under study no youth under 17 was turned away. If we were only to use that criterion we might conclude that there is no need for an expansion of basic shelter services. However, this may have been a function of the considerable concentration of crisis shelter services at a single site. This may affect access to services for youth who, for various reasons, are reluctant to enter midtown Manhattan to receive care. The provision of additional shelters located in other areas may reveal previously unserved groups.

2. Given the high rates of sexual activity and pregnancy and the low rates of contraceptive use we would also urge that appropriate gynecological or family planning services be made available where this is consonant with the religious practices of the service providers and the runaways themselves.

Further Research:

Our research project was carried out relatively inexpensively and consisted of a simple survey at one point in time without a non-runaway control group. It provides useful information about the incidence of shelter use and the problems of runaway youth that was not previously available. However, further research is necessary to address the following questions:

1. How often are remediable psychiatric problems present in the families of runaways and in runaways themselves? This is a basic question which could help shape the form of any new services that might be planned.

2. What distinguishes families where many members run away?

3. What factors distinguish the individuals and their families who will only run away once from those who will run away repeatedly?

4. Does the status of repeat runaways gradually deteriorate or do the youth mature out of their earlier problems, learning new coping skills with each experience?

5. To what extent is the adult homeless population comprised of former youth runaways?

6. What is the mortality rate in these youth? How many will die in the future from accidents, suicide or homicide?

7. To what extent are the individual and family problems encountered by these youth remediable by existing mental health treatment programs? For example how effective would a case management approach be connecting those in need to existing services?

8. How would such a case management approach compare with focussed treatment established on-site or otherwise in close affiliation with the shelters? What treatments would be most cost-effective, e.g., short term family intervention; management in small units compared to large centers; limiting duration of stay or extending it?

We cannot urge strongly enough that no new treatment programs should be established without the simultaneous establishment of a research evaluation element. Only with good research can we determine whether expensive and apparently appealing treatments are really effective. The high recurrence rate shown in this study reveals, if nothing else, that we do not yet understand how to help many of the youngsters with this problem. We may only learn to do so by a combination of zeal and concern coupled with careful research.

ACKNOWLEDGMENTS

We would like to thank the following people involved in the delivery of services to runaway and homeless youth in New York City for their assistance in carrying out this study: Stuart Aaronson, Runaway and Homeless Youth Advocacy Project; Madeline McDonald, Project Contact; Father Bruce Ritter and Staff, Covenant House/Under 21, especially Linda Procino, Clinical Director; Esther Rothman and Fred Apston, G.L.I.E.; Sr. Dolores, Noah's Ark; Michael Boenick, Special Services for Children; Richard Herstein, Director, Emergency Childrens' Service; Henry Wells and Glauco Perez, Human Resources Administration; Reverend Schneider, Emergency Shelter; and Charlotte Andress, Inwood House.

We would also like to thank members of our own staff for their dedicated and outstanding work on this project, Irvin Schoenfeld, Ph.D. who is responsible for data analysis; Nora Giurici and Maryjo Manderano who produced the manuscript; and our interviewers, Cheryl Abel, Diane Apicella, Susan Braiman, Karen Bruner, Michael Clifford, Gordon Cohen, Roslyn Darny, Marsha Ray, Arthur Demi, Pat Ferro, Prudence Fisher, Rhoda Gruen, Katie Hall, Diane Kaplan, Beth Linderman, Jerry Purnell, Mary Shea, Fran Silverman, Kristin Trautman, and Michael Welikson.

REFERENCES

Achenbach TM: The Child Behavior Profile: I. Boys age 6-11. *J Consult Clin Psychol* 46:478-488, 1978.

Achenbach TM and Edelbrock CS: The Child Behavior Profile: II. Boys age 12-16, Girls age 6-11 and 12-16. *J Consult Clin Psychol* 47:223-233, 1979.

Achenbach TM: The Child Behavior Profile: An Empirical Based System for Assessing Children's Behavioral Problems and Competencies. *Int J Mental Health* 7:24-42, 1979.

Achenbach TM, Edelbrock CS: Behavioral Problems and Competencies Reported by Parents of Normal and Disturbed Children Aged four through Sixteen, Monograph, Society for Research in Child Development, 188, 46:1, 1981.

Arce AA, Tadlock M, Vergare MJ, Shapiro SH: A Psychiatriic Profile of Street People Admitted to an Emergency shelter, *Hospital and Community Psychiatry*, 34:812-816, 1983.

Adams GR, Runaway Youth Projects: Comments on Care Programs for runaways and Throwaways, *Journal of Adolescence*, 3:321-334, 1980.

Adams GR, Munro G: Portrait of the North American runaway: A Critical Review, *Journal of Youth and Adolescence*, 8:359-372, 1979.

Baxter E, Hopper K: *Private Lives Public Spaces: Mentally disabled Adults on the Streets of new York City*, Interim Report #2. new york: Community Services Society Institute for Social Welfare Research, 1981.

Behavioral Research and Evaluation Corporation (BREC), Boulder, colorado, Unco, Inc., 1975.

Beyer M: Psychosocial Problems of Adolescent Runaways. Doctoral Dissertation, Yale University, 74:25718, 35/05-B:2420.

Bliesner J: Community Networks: A Service Strategy for Urban Runaways and Their Families, In: Gordon J: Reaching Troubled Youthk Washington, GPO, DHHS Publication No. 81-955, 1981. pp. 36-44.

Brennan T, Huizinga D, Elliott DS: The Social Psychology of Runaways, D.C. Heath and Company, 1978.

Bureau of Census. *Statistical Abstract of the United States, 1982-83*, 103rd Ed., U.S. Bureau of Commerce, Washington D.C., 1982.

Gordon JS: The Runaway Center as Community Mental Health Center, *Am J Psychiatry*, 135:532-535, Aug. 1978.

Gordon JS, Beyer M: Reaching Troubled Youth: runaways and Community Mental Health, Washington, D.C., GPO, DHHS, (ADM) 81-955, 1981.

Gough HG: The Adjective Check List as a Personality Assessment Research Technique, *Psychol Rep* 6:107-122, 1966.

Gullotta, TP: Leaving Home: Family Relationships of the Runaway Child, *Social Casework*, 60:111-114, 1979.

Hopper KE, Baxter E, Cox S: Not making it crazy: the young homeless patients in New York City, In: *The Young Adult Chronic Patient, New Directions for Mental Health Services*, (Pepper B, Ryglewicz H, eds.). San Francisco: Jossey-Bass, Vol. 14, pp. 33, 1982.

Jastak JF and Jastak, SR: Wide Range Achievement Test: Revised Edition. Dover, Guidance Associates of Delevare, Inc., 1978.

Jenkins R, Stable G: the runaway reaction: A case study, J *Am Acad Child Psychiat*, 11:294-313, 1972.

Justice B, Duncan DF: Running away: An epidemic problem of adolescence, *Adolescence*, 11:365-372, 1976.

Leventhal T: Control problems in runaway children, *Archives of General Psychiatry*, 9:122-126, 1963.

Linden RW: Personality Characteristics, Family Variables, and Ego-development in Runaway Girls. Dissertation Abstracts International, 41:694-8, 1980.

Lipton FR, Sabatini A, Katz SE: Down and Out in the City; the Homeless Mentally Ill, *hospital and Community Psychiatry*, 34:817-821, 1983.

Lourie IS, Campiglia P, James LR, DeWitt J: Adolescent Abuse and Neglect: the Role of runaway Youth Programs, *Children Today*, 8:27-29, 1979.

Lukianowicz N: Attempted suicide in children. *Acta Psychiat Scand* 44:416-435, 1968.

Mattson A, Seese LR, Hawkins JW: Suicidal Behavior as a Child Psychiatric Emergency. *Arch Gen Psychiat* 20:100-109, 1969.

National Center for Health Statistics: *Data from the national Health Survey: Parent ratings of behavioral patterns of children* (U.S. Vital and health Statistics, U.S. Department of Health, Education and Welfare Publications, No (HSM), 72-1010, Series (11) 108, 1971).

Olson LR: A Pilot Follow-up Report on suburban Runaways of the 1960s. Unpublished paper, NIMH, Adelphi, Maryland, 1976.

Opinion Research Corporation, National statistical survey on runaway youth Part 1. (Paper prepared for the Office of the Secretary, Department of Health, Education, and Welfare), Opinion Research Corporation, Princeton, NJ, 1976.

Orten JD, Soll SK: runaway Children and their Families: A Treatment Typology, *Journal of Family Issues*, 1:249-261, 1980.

Ostensen KW: The Runaway Crisis: Is Family Therapy the Answer? American Journal of Family Therapy, 9:2-12, 1981.

Palmer W, Patterson B: Family Mediation Approach for Runaways and Their Families: If You Loved Me, You'd Take Out the Garbage, In: Gordon J: Reaching Troubled Youth, Washington GPO, DHHS Publication No. 81-955, 1981, pp. 18-24.

Pfeffer CR, Conte HR, Plutchik R and Jerrett J: Suicidal behavior in latency age children: an outpatient population. J Amer Acad Child Psych 19:703-710, 1980.

Phillips SB: The Runaway Girl: A Differentiating Profile of Personality, Family, School, and Social Factors. Dissertation Abstracts, International, 39:3948, 1978.

Riemer MD: Runaway Children, American Journal of Orthopsychiatry, 10:522-529, 1940.

Robey A, Rosenwald R, Snell JE, Lees RE: The Runaway Girl: A reaction to family stress, American Journal of Orthopsychiatry, 34:762-767, 1964.

Roberts AR: Adolescent Runaways in suburbia, A New Typology, Adolescence, 17: 87-396, 1982.

Robins LN, O'Neal P: The Adult Prognosis for runaway children, American Journal of Orthopsychiatry, 29:752-761, 1959.

Schmiect WM: runaway children, JAMA, 232:651-2, 12 May, 1975.

Shellow R, Schamp JR, Liebow E, Unger E: Suburban runaways of the 1960s, Monographs of the Society for Research in Child Development, 111:32-33.

Stierlin H: A family perspective on adolescent runaways, Archives of Genreal Psychiatry, 29:56-62, 1973.

Williams AD: A Comparison Study of Family Dynamics and Personality Characteristics of Runaways and non-runaways. Dissertattion Abstracts International, 39:5096-B, 1979.

Wolk S, Brandon J: runaway Adolescents' Perceptions of Parents and Self, Adolescence, 12:175-187, 1977.

Wood P, Schwartz B: How to Get Your Children To Do What You Want Them To Do, Englewood Cliffs, NJ, Prentice-Hall, 1977.

Zastrow C, Navarre R: Help for Runaways and Their Parents, Social Casework, 56:74-778, 1975.

Case Examples

John

John is a 16 year old admitted after running away for the second time, after an argument. He first ran away two years ago, after an argument with his parents, but only for four hours.

John dresses sloppily and is poorly groomed and overweight, but he is intelligent and has a fine (if somewhat self-disparaging) sense of humor. He is interested in acting as a career, and seemed to have a very active imagination. John attends special education classes for neurologically impaired/emotionally handicapped children at a Manhattan public high school.

Family life is quite stressful for John. He considers himself a Baptist but his parents are Catholic. Mother does not allow him to go to the Baptist church. Father drinks a great deal and is verbally abusive. John feels that no one, except his acting teacher and his best friend, understand him.

School has also been stressful. John is teased for being in a special class and he is overweight and not physically attractive. He thinks incessantly about girls, but does not date. He admires Latin, macho type actors like Al Pacino and Robert de Niro. He feels that one day he'll outgrow his "adolescent awkwardness" (his term), and have lots of girlfriends.

At present, he is lonely and occasionally depressed. John admitted to a one instance of auditory and one of visual hallucinations, both episodes occurred over a year ago and have not recurred. John has made one suicidal gesture; he swallowed some liquid soap after an argument with his father. Despite these problems he has never had any psychiatric or psychological help and says that he does not want any. He feels that he will "grow out of" his problems. Despite this he related well to the interviewer and seemed pleased and relieved to discuss his situation.

Case Examples

Donna

Donna is an attractive, pleasant sixteen year old who ran away from her parent's home because she was afraid of what her father's response would be when he learned that she was pregnant. She ran away two years ago when her father made unwanted sexual demands on her while intoxicated. It was Donna's expectation that her father would behave in a violent manner that led her to a youth shelter.

Donna was calm while reporting the details of her history. She said that her best friend--age 21--was the father of her baby. She had seen him on both days of her current 2-day stay at the youth shelter.

Donna was well-orgainized in her thinking, is a good 10th grade student reading at just under 12th Grade level. Her only impairment in functioning during the past three months was related to her concerns over her pregnancy and her father's reaction to it. She wants to be sent to a Maternity Shelter, have her baby, and hopefully go on to finish high school and attend college. She would like to become a social worker because "I know what I've been through and it would be very interesting to help others with these problems."

Case Examples

Richard

Richard is a 16 1/2 year old Texas born Hispanic youth who experienced his first shelter admission at the time of the study, even though his first runaway episode was at age fourteen. he has a history of many different living arrangements in both family and institutional settings, including a group home, a residential school, and a detention center. Most recently, he was living with his grandfather because he does not get along with his mother. Richard went to a youth shelter when his grandfather decided to return to Puerto Rico.

This youth has a long history of autistical behavior which includes stealing (he once stole a car) and vandalism. He has abused alcohol (drank daily beginning in the morning) in the past but denies any health problems. Other than a girlfriend whom he met while in a group home, Richard states that he has no close friends. Richard states that he is occassionally depressed (never for more than three days at a time) and has thoughts about suicide, although he has not planned it in any way. Despite the unhappiness he has experienced, he is very concerned about making something of himself. His standard reading score is above average and he states that he likes school and wants to attend college to study computer technology.

(pp. 52 - 5 pp)

How Florida Took the Reform Out of Reform School

APR 10 1984

BOBBY M. v GRAHAM

Behind this innocent-looking picture, crowded conditions are forcing a model juvenile justice system to fall back on the fearful institutions it had hoped to change

A decade ago, Florida was to be the model. Troubled children, the legislature decided, would no longer be shunted off to "training schools" to learn criminal skills. Instead, Florida would deinstitutionalize youth services. All youth programs were brought together in a new agency, the Department of Health and Rehabilitative Services, which would make sure kids got help close to home. The distinction between child welfare and juvenile justice systems was abolished; children in trouble would be offered a continuum of services, from occasional counseling to confinement. The program would be tailored to the child's individual needs, the services provided in his home community. While youths accused of crimes would still be adjudicated in juvenile courts, an HRS caseworker, rather than a judge, would generally be responsible for finding the most appropriate setting for the child.

Ten years later, the bubble has burst. While Florida may still offer more alternatives for troubled youth than any other state, it's not a model anymore. From its troubled detention centers to the training schools now under court suit, Florida has learned that youth corrections and adult corrections share at least one characteristic in common: in the face of soaring populations, the best intentions fall quickly by the wayside.

"We still have population pressures in the system even with all these pro-

By Marc Levinson

The training schools were charged with physical abuse, inappropriate use of isolation cells, and 'hog-tying' of children

grams," says Richard Grimm, director of children, youth and family services for HRS. "Juvenile arrest rates are down, but commitment rates are up. What that means is the public and the judicial system and the district attorneys want these kids to spend some time in residential placement."

Residential placement used to mean one of the four training schools operated by HRS, minimum-security institutions where youths would live and attend academic and vocational classes for six months to several years. Counseling and social services were minimal; essentially, the training schools kept the child away from his family and environment, but substituted an environment as rough and crime-ridden as the one left behind.

Under the new approach, one of the training schools was actually closed as increasing numbers of youths were diverted to the programs set up in cities throughout the state. By 1982, less than one-third of the youths committed to the care of the division of children, youth and families ended up in training schools. The rest were placed in settings ranging from halfway houses to small group homes to nonresidential academic and vocational programs. At the same time, the training school population dropped from 1,700 to below 900 as more and more children were diverted from the system. Plans to close an additional training school were actively discussed.

But the deinstitutionalization euphoria of the 1970s quickly gave way to the reality of the 1980s. By 1979, the percentage of juvenile cases handled through the judicial system began to rise. The following year, due to the fact that a higher proportion of cases were going to juvenile court judges, the proportion of cases involving commitment to a state institution began to soar. While the number of felony juvenile cases dropped over 23 percent from 1979 to 1982, the number of felony juveniles committed to HRS's custody increased nine percent.

The resulting overcrowding led to disaster. "The atmosphere, which was improving, has retreated," says attorney Carole Schauffer of the Youth Law Center in San Francisco. "There's been a reversal of that direction, both by HRS and by judges. There was a real move to deinstitutionalize. Now the training schools are more crowded than ever."

Under Florida law, when a child's commitment hearing is pending in juvenile court, the HRS placement coordinator for the child's home county researches possible placements, and presents the judge with at least three options. Once the judge approves the plan, the placement coordinator then seeks a slot for the child according to the priorities approved by the judge. But as part of the legislature's effort to reform the juvenile system, a child may be confined in the county juvenile detention center for no more than five days after the judge has ordered him committed. If the program of the placement coordinator's choice does not expect a vacancy within the five-day period, the placement coordinator must look elsewhere.

"If there's no vacancy there, then the kid can end up at the training school," says Donna Newsome, HRS placement coordinator in West Palm Beach. "There's always a vacancy there. They can't say they've got no room."

Adds Jack Levine of the Florida Center for Children and Youth, "Community-based placement has translated into a Miami child getting sent to a community program in Tallahassee, and a Tallahassee child being sent to a community program in Sarasota. There's a commitment to community-based placement, but it comes down to where a slot is.

"If you look at who actually is in the training schools, it is not the most serious offenders. It is the kid who's had bad luck on that fifth day."

In addition, all of the "alternative" programs have the right to refuse clients they feel are inappropriate. Those clients, often those with the most severe mental or emotional problems, also end up at the training schools. Services for special groups are few. Says Donna Newsome, "If the kid's retarded, we can send him to the Hillsboro Alternative Residential program, but usually we have to send him to the training school to wait for an opening. I think every placement counselor sends some kids to the training school who they don't think should be there. Sometimes when I can bring a kid back and put him into another program, I will, but it's hard to do, because there are more kids coming down the pike who are just as needy as he is."

• • •

Purvis, a 17-year-old from Fort Lauderdale, is one of the lucky ones. When he was committed to HRS last January after getting into fights and being expelled from school, there was a slot available at one of the state's showcase programs, the Palm Beach House, about 50 miles from his home.

Housed in two former apartment buildings in a prosperous neighborhood one block from an oceanfront park, Palm Beach House is the model of an alternative residential program. A large ficus tree grows in the well-trimmed front yard, and the sign identifying the home is planted in a neat display of palm fronds. No one loiters in the front courtyard.

Thirty boys, aged 14 to 18, live here —the number was recently increased from 25 by state order—in four-bed rooms with access uncontrolled by the staff. In the morning, most of the boys go to high school or vocational school; for those who do not, two teachers and a teacher's aide offer classes at the home. In the afternoon, there is physical education class, followed by two hours of group counseling sessions. After dinner, two remedial education teachers come to tutor some of the boys, while the others study, attend counseling sessions, or visit community programs such as Alcoholics Anonymous. Residents are responsible for the upkeep of their rooms and for one other maintenance task, a rule enforced to the point that Palm Beach House is one of the best-kept halfway houses anywhere. As rewards, residents earn such prestigious duties as kitchen manager, grounds manager and manager of the soft drink machine.

The emphasis is on reality therapy.

Marc Levinson is a New Jersey-based free-lance writer.

the training schools, it's not the worst offender. It's the kids who had bad luck'

[illegible] n the house, and we'd taunt him. e counselor told me I should just arn to be quiet and not say anything, even if I don't like him, cuz I don't need to start something. I had trouble controlling my temper. I always got angry too quick, but I've learned to control it."

There are, according to students at Palm Beach House, few fights or disturbances, and considerable peer pressure to behave. Students need to earn points to be allowed home visits, trips to the store and, eventually, release. "If somebody is smoking in the apartment, which is against the rules, or if somebody doesn't clean up, one of us is going to tell the counselor," one resident says. "Otherwise, if they catch him, we'll all lose points."

For those with conflicts or problems to work out, counselors are always close at hand. The program is, by general agreement, intense. Says superintendent Donald Hilley, "While they're here they get the tools they need to get along in the community. We stress it's their responsibility, not our responsibility."

But even the alternative residential programs are facing problems due to Florida's overcrowding. A few miles south of Palm Beach House, in a black middle-class neighborhood in Boynton Beach, Jeff and Carla Tinstman run a small group home for seven boys, ages 12 to 14. The Tinstmans, both trained in child psychology and experienced in running group homes, believe in the normalization approach. "If you treat a kid as normally as possible, he's going to be as normal as possible," Carla explains. But growing budget constraints have forced the Tinstmans to work with children who are inappropriate for such an informal approach.

"We used to take voluntary commitments and status offenders," says Carla Tinstman. "Not any more. Now, we only get delinquents, because of the budget cuts. It has become more of a facility than a home with a surrogate father and mother to take care of them. What they need now are professionals, rather than mommies and daddies. We have kids here who are labelled 'severely emotionally disturbed.' House parents—nonprofessionals—can't deal with that."

Boys stay at the group treatment home an average of six to eight months, then return to their homes. Jeff Tinstman, recalling that the average stay in a group home they ran in New York was twice as long, says the time is not adequate to get many residents in a position to live at home. "There's a big push to get them out," he says with frustration in his voice. "Here, the group treatment model doesn't work as a home. It's a facility orientation."

• • •

In 1982, 111 children were placed in small group homes like the Tinstmans', and 860 were committed to halfway houses like Palm Beach House. Nearly twice that many, 1,708, went to one of Florida's three juvenile training schools, sending the schools' population 11.3 percent above that expected by budget writers. At the schools, major maintenance had long been deferred in expectation of eventual closing, and staff shortages were chronic. The results were predictable.

On January 5, 1983, attorneys from the National Prison Project, the Youth Law Center and a Florida group filed a class action lawsuit on behalf of all children in the schools, claiming that conditions in all three training schools were unconstitutional. In Florida's much-celebrated juvenile system, they charged, dormitories housed twice as many students as they were built for, with some students forced to sleep on mattresses on the floor. They charged that conditions in dormitories and in kitchen areas were unsanitary, health care and counseling inadequate, and the use of isolation and shackling common. Most of all, the suit charged, "Defendants fail to design and implement an adequate treatment plan for each child at the training schools. As a result, defendants fail to provide children with appropriate rehabilitation or treatment."

The suit followed an extensive investigation, including visits to all three schools. The attorneys' findings, given to HRS last fall, included extensive allegations of physical abuse of children, inappropriate use of "adjustment unit" isolation cells, use of larger children to control the behavior of others, and "hog-tying" of children, with hand and ankle cuffs locked together behind the child's back, to control unruly youths.

An internal HRS investigation confirmed most of the charges. At the Arthur G. Dozier School, which housed 390 boys in the Florida panhandle, the HRS inspector general's office found that most of the boys put into the adjustment unit were there in violation of HRS rules, because they had "put shaving cream in a kid's face" or "refused to obey order to get in line in dining hall." Locked in small isolation cells, they had been hog-tied for breaking furniture, flooding their cells, beating on the walls and cursing the staff. During the last three weeks of September 1982, boys had been hog-tied eight times, all in violation of HRS regulations.

The investigators concluded: "There is an immediate need for a viable treatment program at Dozier School. One symptom of this need is found in the use of the adjustment unit as the primary control mechanism on campus. The use of guided group interaction, long the cornerstone of the training school treatment program, no longer functions effectively at Dozier School." HRS, they recommended, should reconsider the mission and philosophy of training schools, and develop programs to provide different types of treatment within the schools.

The suit is still pending in U.S. District Court, awaiting certification of the class. In May, after agreement between the parties, Florida was permanently enjoined from hog-tying students in its training schools.

After the investigation, HRS summarily transferred the long-time superintendent of the Dozier School.

At the same time, Florida was showing another of its training schools, the McPherson School for Juveniles in Ocala, to a team of auditors from the Commission on Accreditation for Cor-

regulations, because I shouldn't have to take a knife from a kid who's psychotic'

rections, a national organization which has developed accreditation standards for correctional facilities. The accreditation process, dominated by the American Correctional Association, has been controversial in its own right. Critics charge the process makes it as easy as possible for institutions to gain accreditation.

In response to those charges, the Commission allowed a *New York Times* reporter and Claudia Wright of the National Prison Project to join its visit to McPherson. Despite Wright's claim that the school's population had dropped from 253 to 140 in the three months before the team's visit, and climbed back up to 177 two months after the accreditation team left Ocala, the McPherson School became the first Florida institution to win accreditation.

The biggest change of all, however, came at the largest and most isolated of all the institutions, the Florida Training School for Boys at Okeechobee. At the personal urging of Governor Bob Graham, the entire school—430 residents, 236 employees, 109 buildings and 1,200 acres of land—was turned over to the Jack and Ruth Eckerd Foundation to see if private management could run it better than the state. Okeechobee has become the nation's first privately run training school.

The Eckerd Foundation, supported by drugstore magnate Jack Eckerd, has made a name for itself running wilderness camps for troubled teenagers in Florida and three other states. Graham—whom Eckerd ran against in the 1978 gubernatorial election—thought the foundation's humanistic approach might work at the training school, and at the same time save the state money. Florida gave Eckerd only $5.8 million to run the school for its first year, half a million dollars less than the state had spent to run it during fiscal year 1982.

Located inside a circular chain-link fence just north of Lake Okeechobee in south central Florida, the school was a mess. No staff training had been conducted at the facility in years. The infirmary, located in a building without hot water, closed at 4:00 p.m.; space was so cramped that the school dealt with a 1982 chicken pox epidemic by placing children in isolation cells in the adjustment unit.

"The cottages were in terrible shape," recalls Vern Melvin, the school's assistant superintendent. As many as 40 boys were living in cottages with only one exit, offering little hope of escape in case of fire.

When it took over, Eckerd immediately fired 50 staff members to save money. Most of the houseparents, who lived in houses outside the fence and came in each day to supervise cottages, were let go. In their places, Eckerd hired young counselors, paying them $9,600 per year to be on duty 24 hours a day, five days a week. Cottages were remodeled and small apartments added for the counselors, so they could be close to their charges all the time.

The infirmary was remodeled, more nurses hired, a staff training program started, and food service improved. "We no longer need to order through the state system," says food service manager Ruth Jones. "We used to order a piece of meat and have a butcher cut it up. Now we order portion-controlled, and if there's cutting to do, the cook does it."

The school's superintendent, Wesley Brazell, says the renovations were possible because, as a private manager, he has more flexibility than he did under the state. "I couldn't do renovations out of expense money. The foundation can. I couldn't transfer salary money to renovations. The foundation can," he says. The renovations themselves, he says, cost one-third less than they would have under state management.

Counselors now train under Eckerd's philosophy, emphasizing self-esteem and the creation of positive relationships. Counselors learn the right way to wake up their residents, to manage meals in the cafeteria, and to conduct

tages. "The group is awakened slowly, quietly, on time and with a positive tone," the training manual advises. "In the morning, students quickly pick up on the counselor's attitude, and if positive and optimistic, they also will tend to be positive and optimistic."

Adds another passage, "Students . . . are not punished by staff actions . . . but rather are shown a positive corrective fashion of altering unacceptable behavior."

That philosophy is miles away from the more punitive approach Okeechobee took under state management, and many long-time employees dislike it. Little of the new philosophy has trickled down to the vocational and academic classrooms Eckerd runs. Teachers especially have a litany of complaints so serious that they tried to form a union earlier this year, only to have their election petition rejected by the National Labor Relations Board.

"The kind of kids we have need a more structured environment than Eckerd is providing for them," says Jerry Johnson, a 12-year veteran of the vocational education programs. "Their philosophy is meant to deal with scared little kids out in the woods. These kids are not. Many of these kids committed felonies. These are hard kids; and you have to deal with them differently."

Larry Hackett, director of the vocational programs, agrees the foundation's philosophy hasn't yet made the transition from a small group to a large institution. "At this point, we're nowhere near putting a concept together," Hackett says. "The result is a lot of frustration, because people are told to do it this way, but they don't have any tools." Teachers report frequent incidents of disruption in class, but say they have never received any training on dealing with such incidents the Eckerd way.

Even supporters of the Eckerd philosophy acknowledge the problems. Guillermo Carrasco, a Mexican-born social worker, sits in his office outside the fence and laments the fact that with a caseload of 120 boys, no time is available for counseling. Says Carrasco, "We're working with papers, not kids."

Despite the official philosophy rejecting punishment, as many children fill the adjustment unit under Eckerd management as before. "The Unit," as everyone at Okeechobee calls it, has 20 single cells with steel doors, each with a small slot opened from outside. Only

[illegible]

[illegible] boys in the unit; there's no room. Most boys are not allowed recreation on the adjacent basketball court; while the court is fenced, the fence does not cover the top, and officials claim boys try to scale the fence to escape from the unit. A book cart from the library is rolled through the unit daily, and a minister visits boys individually on Sunday.

Otherwise, there's not much to do for boys who spend up to 21 days in the unit. "You sleep," says one who recently spent several days. Says a 14-year-old, who spent 24 hours in the unit after being involved in a fight, "You think. There's nothing else to do."

"This place here doesn't help anybody," says Joe Awad, the adjustment unit supervisor, speaking over the clanging and screaming of youths demanding attention. "We can put the guys out of here, and they'll come right back, because the houseparents are not dealing with the problem. If the kids fight, instead of sitting down and talking with them, they say 'Lock 'em up.' The only kids that should come in here should be kids who try to kill somebody."

Despite the National Prison Project's complaints, and despite the Eckerd Foundation's philosophy, restraints are still used at Okeechobee. If a boy is considered in danger of harming himself or others, a two-inch brown leather belt, attached to a pair of handcuffs, is put on him. If the belt is not enough, leg restraints are used.

"To be honest, I would not stay here without mechanical restraints," says superintendent Brazell. "If inappropriate kids were not here, I would not have to use them as much. Mechanical restraint brings the situation under control, and keeps the staff members from injuring the child."

Under new state rules, Brazell says, a child may be placed in the adjustment unit only when he is out of control. By that definition a child who comes up to another child, knocks him down and then stops is under control and therefore cannot be placed in the adjustment unit. That sort of conduct, he claims, has been encouraged by the lawsuit. "The kids in the unit are acting out more now than they ever did before. We never had kids ripping out the ceiling. Now we do. We're back where we were 15 years ago. It all started with the conferences with at- [illegible] rules on punishment, he acknowledges, are frequently violated. "Kids not appropriate for this facility shouldn't be here," he says angrily. "They're here. I've got to violate the regulations, because I shouldn't have to take a knife from a kid who's psychotic. I do it. When I see that the State of Florida is doing something with the child who's inappropriate, then I'll follow the rules."

It is that lack of alternatives, the continuing inability to provide help for the problem child, that frustrates Eckerd at Okeechobee, just as it has frustrated Florida at its other training schools. "They just send anybody over there, whether they're retarded, mentally ill, or what have you," says Wright of the National Prison Project.

University of Illinois criminologist David Fogel, who visited all three Florida training schools last winter, lays some of the blame on the foundation. "These are not evil and malevolent people," he says of Eckerd. "I think they're getting into an area where they believe that if they take social services and run them as a business, they'll do all right. But I don't think they really have any business with state-raised kids."

Florida officials disagree. Recently, the state's contract with the Jack and Ruth Eckerd Foundation was renewed for another year. According to sources in state government, there continues to be discussion about putting another of

• • •

Where does one go from the aftermath of "reform"? Florida State Senator Gerald S. Rehm, a former executive director of the Eckerd Foundation, says the next step is to phase out the training schools and substitute small programs. To overcome political opposition to closing the schools, he says, they should be turned into prisons for the young adult offenders who are flooding Florida's prison system; that would preserve the jobs in the small communities where the institutions are located, and would also save the state money that could be used to build scattered facilities for juveniles. That, the senator suggests, would enable the state to provide better care for the children who are now in its training schools, and could allow specialized programs for children with special problems. Says Rehm, "I have not found anybody yet who can sit down and disagree with anything we want to do here in Florida."

That's the course many critics of Florida's system would like to see. "It's very difficult to see how you can achieve any kind of constructive treatment in a population of 500 children," says Youth Law Center's Carole Schauffer. But transforming Florida's juvenile institutions will be hard to do in the face of rising populations and harsher sentences. And there are no signs that trend will abate.

ISSUE SPOTTING
guide for Law Students

PREPARING FOR EXAMS?
HERE'S HELP!

- CRIMINAL LAW
- TORTS
- CONTRACTS
- CIVIL PROCEDURE
- REAL PROPERTY *(NEW!)*

ISSUE SPOTTING BOOKS SHOW YOU THE EASY TO LEARN WAY TO SPOT ISSUES RAPIDLY AND ACCURATELY IN LAW EXAMS. THE ONLY BOOKS DEVOTED EXCLUSIVELY TO THIS CRUCIAL SUBJECT.

AT YOUR BOOKSTORE OR BY MAIL

(ORDER TODAY)

PRIMA FACIE PRESS
P.O. BOX 82
WALNUT CREEK, CA 94597-0092

PLEASE SEND ME THE FOLLOWING ISSUE SPOTTING BOOKS

___ Copies CRIMINAL LAW @ $6.95 (+ 45¢ tax for CA residents)
___ Copies TORTS @ $7.95 (+ 52¢ tax for CA residents)
___ Copies CONTRACTS @ $8.95 (+ 58¢ tax for CA residents)
___ Copies CIVIL PROCEDURE @ $9.95 (+ 64¢ tax for CA residents)
___ Copies REAL PROPERTY @ $8.95 (+ 58¢ tax for CA residents)

PRINT NAME
STREET ADDRESS
CITY STATE ZIP

SHIPPING AND HANDLING CHARGE: $1.00 for one or two books; $1.50 for three or four book order, $1.75 for five books

Feds cut THS youth funds

By RICK FOLSTAD
NEWS Editor

SO. LAKE TAHOE — Over the past seven years since its conception, the runaway youth program at Tahoe Human Services has been called exemplary, been singled out as a role model and has been replicated by newly formed runaway youth programs hoping to achieve some of the success the program has had here on the South Shore since 1976.

But this past June 30, after submission of a 130-page presentation for the continued and needed federal funds from the Administration for Children, Youth and Families, to maintain its highly acclaimed runaway youth program, a panel has denied continued funds to the program for reasons called "absurd" by THS Executive Director John Mann.

"Criticisms made of the proposal were absurd and clearly indicate that the panel, at a minimum, failed to read a significant portion of the proposal," said Mann. "I think they (the panel) went to sleep."

Last year, the runaway program at THS received $61,000 in federal funds. This year, despite a federal allocation that more than doubled what was available last year for the 160 runaway programs nationwide, the program is looking at a closing date of Aug. 1 unless the federal agency rescinds its denial or funds are found through some other source.

"They said we had a low rating," said Mann. "So low we wouldn't get any money."

According to Mann, certain facts dealing with the runaway program should prove its importance:

— In 1979, THS was singled out as one of the 13 most successful runaway youth programs in the country.

— A newly formed runaway youth program in Butte County was developed using the THS program as a role model. Butte County will receive federal funds. THS has been turned down.

— Of the three services the program focuses on, the needs of two, the 24-hour crisis line and the youth and family counseling, have increased by more than 20 percent over last year as a result of the program's success, not its failure.

— Last year's federally allocated funds totaled $10 million. The allocation for this year has more than doubled to $21 million. This is the first year THS has been turned down.

"Two months ago, if you'd have asked Terry Price, Gerry Orton (former THS executive directors) or myself what our most secure program was, we would have said the Runaway Youth program," said Mann.

In a statement received by Mann from the regional program director of the ACYF, some of the reasons for the denial of funds included:

— The organization is clearly not viable absent federal funds.

— The description of how services are provided was too general.

— Documentation on the need for shelter services in the area was not clear, e.g., only 16 children were sheltered in 1982.

In response, Mann stated, "If the program were viable absent federal funds, why would we request them? This is clearly an example of a 'Catch-22' situation. Had THS submitted a proposal indicating the federal support was not necessary to maintain the runaway program, would it have therefore been interpreted as a stronger justification for granting funds? The implied logic here is that our need is so great as to invalidate the need.

"They said our description of services was too general," continued Mann. "We had over 17 pages describing our services. And we only found out-of-home shelter for 16 children because our program has been so successful." (The program found shelter for 25 children the year before.)

According to Mann, the 24-hour crisis line received 261 phone calls in 1982 and provided counseling for 426 youths and their families.

"And we have not received a funding increase in four years," said Mann.

Prior to receiving the official denial of funds on June 30, Mann received a notice three weeks earlier tentatively stating, "We will probably not be able to re-fund your program for next year."

At that time, Mann began to solicit and received the support of various agencies and government leaders, including the South Lake Tahoe chief of police, the mayor, both area judges, the city council, the director of the Women's Center, the director of the Volunteer Action Center and the director of the county Health Service. He also received support from legislators Norm Shumway and Eugene Chappie and senators Pete Wilson and Alan Cranston as well as other nationally recognized leaders.

"They all said the same thing to the agency," said Mann. "They told them not to do this to us.

"I'm really pleased at how this community has responded. All I had to do was ask for the support and it came through."

Presently, Mann is keeping the program going by the shuffling of other THS funds. "They (THS) made a decision to carry us through July," said Mann. "After that, we plan to ask El Dorado County to subsidize us for another three months. We also put in an emergency request for funds from United Way and they said they would provide us with matching funds up to $2,750" (half the funds necessary to operate the program for one month).

"We don't know when we may receive an answer to our appeal from the ACYF," said Mann. "Right now, as of Aug. 1, we will shut down our 24-hour crisis line and our emergency out-of-home shelter service. What basically happened is their evaluation process fell down and the bureaucracy has been forced into a position of defending a faulty process. It's South Lake Tahoe versus the federal government."

LAKE TAHOE NEWS

U.S. POSTAGE
PAID
Bulk Rate
Permit No. 56

BOXHOLDER
CAR—RT

P.O. Box 658, South Lake Tahoe, CA 95705
Since 1947
Vol. XXXVI, No. 30—July 23-29, 1983
25¢

(xy 5P-1F)

Tahoe Daily Tribune

Serving All Lake Tahoe America's All-Year Playground

[illegible] SOUTH LAKE TAHOE, CALIFORNIA FRIDAY, JULY [illegible] [illegible] SECTIONS—[illegible] PAGES

Tahoe youth runaway funds are running out

[illegible]
Tribune Staff Writer

In seven years, thousands of young people have taken advantage of Tahoe Runaway Youth Services, a program that offers a warm place to stay, meals and advice and people who really care.

By the end of this month, that program may no longer exist.

In [illegible], Tahoe Human Services was chosen as one of [illegible] agencies nationwide to run a special program for runaway youths. In [illegible] the ongoing TRYS program was singled out by a federal committee for its excellence in reuniting runaways with their families.

But, this year, a federal review panel ruled the program was no longer eligible for funding.

"Something terribly wrong happened," said TRYS Director John Moss. "The review panel apparently fell asleep on the job and gave our proposal for funding a rating so low the federal government says we can't have any more money."

Moss said TRYS received a letter June [illegible] saying the program's funding might be cut off at the end of the month. On June [illegible], a second letter stated all funding would cease July 1.

"TRYS staff made a decision to carry the program through July while we seek an appeal for the federal money or an alternate source of funding," Moss said, "but if the funding isn't located, the program will shut down Aug. 1."

Moss has mounted an appeal campaign in trying to get the program reviewed for financing from an appeal fund.

Letters and calls from local officials have been directed to state and federal legislators, and a telegram was sent to the program's San Francisco office.

"We've been called an exemplary service and we've never received a negative comment in seven years," Moss said. "It just doesn't make any sense.

"Butte County decided to start a runaway program, so TRYS sent a staff member down to help them draw up a proposal," Moss said. "Their proposal was based on ours, and they got funded and we didn't.

"We submitted the same program that has been so well received in the past. If it hadn't been successful, we would have changed it a long time ago."

Since it started, the program has brought nearly [illegible] in federal money to the Tahoe community, Moss said. If the funds aren't replaced, county funding through the welfare and law enforcement departments will have to take up the slack.

The program costs about [illegible] per month to provide a 24-hour crisis line, youth and family counseling for runaways and potential runaways, as well as emergency shelters through a network of foster parents for youngsters that cannot immediately be returned to their parents.

(See Tahoe, Page 2)

Tahoe—

(Continued from Page 1)

"Just in [illegible], we responded to [illegible] crisis calls and provided counseling to [illegible] youths and families, an overwhelming majority of which are from the local community," Moss said.

Members of the TRYS staff are not the only ones interested in appealing the decision.

"If they have to close their doors, the responsibility for these young people will fall on us, and, frankly, I don't know how we'll deal with these problems. We just don't have the staff," said [illegible], chief deputy probation officer for El Dorado County.

South Lake Tahoe Police Department Chief [illegible] Shelton agreed.

"This is one of those situations where you don't have the statistics that show TRYS is saving us this much work or that much money," Shelton said. "It's a feeling you have and I feel this is a very good program.

"If these kids don't have someone they can contact and trust to find shelter, there's a good chance they'll commit a crime to get money for food and a place to stay," Shelton said. "We're the type of service that's reactive, not preventive—that's why it's a great idea to have a program like TRYS."

[illegible], welfare program manager in South Lake Tahoe, said her department will definitely be affected by the loss of TRYS.

"More kids will be filtered through our program because we are legally obliged to deal with them," Ms. [illegible] said. "It will definitely affect the overall county dollar."

Moss said the program is helpful not only to the runaway youths from Florida and Texas, but local families as well.

"TRYS is so well known in the community that schools and even other youngsters see a problem developing and refer kids to us before they run away," Moss said. "We are providing families in South Lake Tahoe with some very practical solutions to very natural problems, and it would be a shame if that service were no longer available."

Moss can be reached at [illegible].

640

Monday, July [illegible] Tahoe Daily Tribune

Opinion

Editorial

We shouldn't let runaways down

Something terrible is about to happen to this community.

Through some kind of bureaucratic foul up, the highly touted Tahoe Youth Runaway Service is going down for the count.

The reason? The federal government has withdrawn funds for the seven-year-old program aimed at reuniting runaway youngsters with their families. The withdrawal was based on a low rating by a regional board.

Its success rate is so glowing it was even singled out by a national committee for excellence. Tahoe Human Services, Inc., was specifically selected by the U.S. Department of Health and Human Services as one of 13 agencies nationwide to run the program.

And, it served as the model for a Butte County program that *didrecaive* federal money.

Obviously, a major error has been committed. Like THS Director John Mann said, "The review panel apparently fell asleep on the job...."

It, indeed, does not make sense for a program, so highly rated for seven years, to suddenly lose its funding without so much as an explanation or official notice.

We cannot believe the $5,300 cost to maintain the 24-hour crisis line, youth and family counseling and emergency shelters through a foster parent network is too much.

Especially when we realize the very youngsters this program tries to help are the victims.

Certainly, TRYS is not always going to be 100 percent in resolving the problems that lead youngsters to run away from home in the first place, but its successes cannot be overlooked. There are too many kids who have been turned around by the program.

THS is appealing the ruling that was based on a review by a regional panel of "experts" in youth services. Mann has enlisted the support of a number of local, state and federal representatives.

We should get behind the effort, too.

As much as we don't like to admit it, our own youngsters could one day need what TRYS provides.

THS has vowed to continue the program until Aug. 1, but, after that, it's up to concerned citizens like ourselves.

TAHOE DAILY TRIBUNE--Friday, July 22, 1983

Tahoe runaway service seeks capitol help

Runaway youths in South Lake Tahoe may not have the support of a regional review board, but U.S. congressmen and local officials are making every effort to find funding to continue the runaway program.

"We've been informed there is no appeal process," said Tahoe Human Services Director John Mann, referring to the district panel that denied THS' request for funding for Tahoe Runaway Youth Services last month.

"If there isn't one, there damn well ought to be," Mann said. "The well being of a program like this should not be reliant on one panel that meets for one afternoon."

THS was chosen as one of 13 agencies nationwide to run a pilot program for runaway youths in 1976. In 1981, THS was commended by a national investigating committee for its excellence in reuniting runaways with their families. The program, which provides a 24-hour crisis line, counseling and emergency shelter, has been funded every year for the past seven years.

However, the program was denied funding this year by a regional review panel.

Mann plans to meet with Assistant Secretary of Human Development Services Dorcus Hardy in Washington D.C. to plead for the program.

"Mrs. Hardy has the authority to grant us funding from the department secretary's discretionary fund," Mann said. Congressman Norm Shumway, R-Stockton, has said he will also meet with Mrs. Dorcus when Mahn goes to Washington.

Other congressmen and senators have pledged their support to the effort, Mann said.

THS has also requested three months of funding from El Dorado County Supervisors, and if the county cannot provide funding, the South Lake Tahoe City Council will be approached.

THS recently received a notice from the regional office in San Francisco saying an appeal was not possible because "we scored so low, they wouldn't even consider it."

"It's a dangerous thing to suddenly yank the money from a program that has been federally funded for the last seven years with no appeal process when it results in significant damage to a community," Mann said, "A congressman has the authority to call for oversight hearings and congressional hearings."

Mann said the reasons stated for denying the THS proposal were absolutely "absurd."

642

SPARKS
Tribune
THE COMMUNITY'S NEWSPAPER

VOLUME 76, NUMBER 49/FOR THE WEEK OF DECEMBER 7, 1983

FOOTBALL

Wolf Pack heads for I-AA semi-finals

RUNAWAYS: Counselors help youngsters and parents reunite at local shelter

BY JO EWALD

Late one night last year a sobbing 15-year-old girl phoned a Reno runaway shelter asking for help. She'd only been away from home two days. She wasn't street-wise. She'd been befriended by some people who promised to take her off the streets to a safe place.

Instead they took her to a house where 15 other young runaway girls were working as prostitutes. She became a prostitute, too.

CRYS COUNSELOR PAT [illegible] chats with teen runaway "Bonnie" and her mother.

And later, when she tried to get away, she was beaten.

That was the night she called CRYS, Community, Runaway and Youth Services, formerly known as *Foster Youth Services*. The people at CRYS went and got her and took her to one of their shelter homes for protection.

Then came the hard part.

They convinced her to let them call her parents. And they acted as mediators in trying to reunite her and her parents, with the barriers of running away and prostitution between them.

They counseled that family for about six months. And they were successful. Not only did the girl return to her home, but she also found the courage to report the prostitution ring to police and to testify in court against the people who ran it.

That's the story of one local runaway. There are more than 1,000 others to tell each year in the Reno-Sparks area.

The really lucky ones find their way to CRYS or are referred

authorities or other agencies before they go through the kind of experience that young girl had.

"Our main purpose is to get them off the streets," said CRYS director Debbie Kennedy. "That's because of what we know

CRYS DIRECTOR Debbie Kennedy.

happens to them out there. We know that if you have a kid who's out on the streets anywhere from

From page 1

Runaways

two days to five days, there's a good chance they might become involved with prostitution or pornography or theft. And that just goes on top of what the child's already dealing with just from being a runaway."

CRYS is the only runaway shelter in Nevada, and its staff wants to get the word out, says Kennedy, to both parents and kids that they can provide a safe place anytime, 24 hours a day.

But getting runaways off the street isn't CRYS' only goal. Unlike traditional runaway programs, CRYS doesn't merely provide a flophouse type of shelter for runaways to pass through on their way to other towns, other states. Ninety percent of the runaways CRYS serves are local kids, and CRYS' goal is to reunite them with their families.

That makes CRYS unique, one of only two or three of its kind in the country.

CRYS won't accept runaways into its program unless those children agree to allow a counselor to contact their parents within 24 hours. And CRYS won't simply send a runaway back home without providing counseling for the parents and the child both.

"We designed our program to be a community program, to service families in the community," Kennedy explained. "We want the parents to know that we're here for them just as much as for the kids. Our purpose is to try to reunite that family, or even to keep the kid from running in the first place, so it's a real preventative program, too."

Generally CRYS counselors manage to reunite runaways with their parents within a day, with follow-up counseling sessions arranged.

But sometimes one or both parties are so upset or angry that a "cooling off" period is needed — a time when they can remain separated while a counselor works with each to prepare them for getting back together.

In those cases, the runaway is placed in a "shelter home" — the home of a volunteer family within the community whose members are willing to embrace that runaway as a part of their family for awhile, usually up to two weeks.

Such shelter homes make a nice alternative to juvenile hall.

Keith Ashby is one of CRYS' shelter parents. "We have to be very flexible and adaptable to different situations," he said. "Each child has a distinct personality and different problems. They have very special needs and being sensitive to those needs is very important.

"The whole idea is to try to communicate with that child, to get him to open up a little, because I would say probably 70 percent of runaways don't communicate at home. And if you can get them to start communicating, then you're on the way to solving their problem...It takes a lot of patience because the child can be rude to you. They can be real short with you. And you have to just remember that they're going through a time that is not easy for them and put yourself in their situation. A lot of them handle it with real defense mechanisms because they're not sure what the future holds for them. They're not even sure where they're going to be tomorrow."

Such defensiveness should not be mistaken for the kind of hardcore street-wise personality depicted in some runaways in large cities like New York.

Most of the runaways in the Reno area are not street-wise, are not hardcore. They are "typical kids," said Kennedy, from "typical families."

They're also very young — most are middle school age — 12, 13 and 14. And most are girls.

They run from family conflict. That's the main reason, Kennedy said. And school problems. That's also high on the list, particularly when report cards come out. "When those grades come out, those phones start ringing," said Kennedy.

"Running away is usually a cry for help," she continued, "especially when that child knows that we are going to call their parents and they're still willing to stay here. That's what's been real interesting. Most of the kids really do want to go back to their families, and want some help.

"One thing we're trying to convey," Kennedy emphasized, "is that because a child runs away that doesn't mean that the parents are bad parents."

Fifteen-year-old Bonnie ran away early this year after months of conflict with her parents over her repeated truancy from school.

"She kept saying, 'You don't understand. I hate school!' " her mother recalled.

In an effort to solve the problem, her parents switched Bonnie to a private high school. It seemed to help temporarily, but then there was another "blow up."

Finally, she ran.

Bonnie teamed up with a girlfriend and two boys, 17 and 18 years old. They all ended up participating in a mini crime spree that involved stealing guns from Bonnie's parents and stealing a truck.

Bonnie was only gone for a week, but it was a week her mother will never forget. "When your kid isn't home and you don't know where she is," she said, "it's just terrible. It's just totally upsetting. You don't know — she could be in a ditch somewhere. Or then, again, she could be with a guy, you know. You go through this time of just being so scared."

Bonnie didn't go home by way of CRYS. She was apprehended by law enforcement authorities and processed through the juvenile court system.

But she went to CRYS for counseling after her return. And now she attends the learning center at CRYS as an alternative to conventional high school. CRYS' learning center operates through Washoe High School as a kind of satellite school where the students accrue credits on an individualized, contract basis. It allows the kids to work at their own pace, making up for school time that was lost through previous truancies and while they were on the run.

The atmosphere is a cozy study room — perfect for Bonnie who, it has been discovered, has an unusual hearing loss problem in situations where there is background noise.

In addition to helping kids like Bonnie, CRYS is very active with the National and Western States Networks for Runaway and Homeless Youth to coordinate the return of out-of-state runaways to their families and to help locate local runaways in other states.

CRYS is just now adding on a new counselor to work exclusively with families of missing children. Along with providing counseling, CRYS can help such families by sending pictures of the missing child across the country to other Runaway and Homeless Youth Programs and by appearing on radio and television asking the missing child to phone.

CRYS also offers more intensive, long-term counseling to families of runaways and of missing children through its "associate shelter helpers," professional therapists in the community who have offered to work with such families on a sliding fee scale.

CRYS' own staff runaway counselors number just two. They can handle only about 200 families per year. So far, in CRYS' year and a half of existence, it has served 273 families, with a 96 percent success rate in returning the runaways to their parents and keeping them there.

But there are more than 1,000 runaways in the Reno-Sparks area each year.

And that is why Kennedy said CRYS is struggling to become totally community funded. As a non-profit program, CRYS currently receives some federal money, some money from local government agencies and some private donations, such as the sponsorship of one counselor's position by St. Mary's Hospital.

But Kennedy doesn't know if the federal monies will come through from year to year, and she wants to expand CRYS' program significantly. Even if organizations within the community would sponsor just two more counselor's positions, she said, and provide donated office space, CRYS could help a lot more kids and their families.

In its current situation, Kennedy said, CRYS ironically can't afford to have an outreach program.

"We're in a double bind," she said. "We can't go out now and let all those kids know about us, and let the families know about us, because we would be overloaded. We couldn't handle them."

NEWSWEEK December 19, 1983

JUSTICE

Mapping the Streets of Crime

Mercer Sullivan is an anthropologist who instead of heading off to the South Seas has spent the last four years studying youth crime on the streets of Brooklyn. In housing projects he hung out with gold-chain snatchers. In a Hispanic neighborhood he watched a row of three-story homes slowly disappear, victims of scavenging junkies and arsonists. In another ethnic enclave he listened to the grandsons of Polish immigrants boast without irony how they preyed on new refugees who got drunk on payday and became easy marks. From these field studies Sullivan has emerged with a picture of juvenile crime that any graduate of a tough urban neighborhood will instantly recognize: lots of poor teen-agers commit predatory street crimes for a few years—then most stop, reformed by a combination of jail, growing fear and, most importantly, jobs.

Over the [illegible] Sullivan's research, a portion of which was published last week in New York Affairs, a New York University journal, carries two emphatic messages. First, the simplistic bromides that prescribe either employment programs or harsher treatment for juveniles both miss the mark. Sullivan favors a more comprehensive form of community development that would both provide more job opportunities and increase local sanctions on young hoodlums. "Carrots and sticks," he says, "must always go together." Second, he casts doubt on the most fashionable current crime-control strategy: selective incapacitation. That theory argues that since a few people commit a disproportionate amount of crime, every time a career felon is locked up a substantial number of crimes may be prevented. The problem is that many of these thugs are not identified until they are at least 20 years old—over the hill in terms of street crime. Thus the current push is to identify them earlier as hard-core criminals and lock them away. What Sullivan's work suggests is that since most teen crime careers are short, the incapacitation strategy would needlessly incarcerate offenders who are on the verge of going straight.

Sullivan's research grew out of a Vera Institute of Justice project aimed at testing links between crime and employment. The problem with much past research in this area is that it rests on aggregate data with vague correlations: the fact that both unemployment and crime rates rose in the '60s and fell in the '80s doesn't shed much light on the specific pathways of crime. Vera's researchers took a different tack. Armed with a federal grant, they surveyed 900 criminal defendants and dispatched Sullivan and a team of field workers to track small groups of young men through three low-income neighborhoods in Brooklyn.

Sullivan found that the youths in the white, black and Hispanic neighborhoods all began their crime careers as street brawlers, dangerous only to each other. As they grew older, however, they followed markedly different paths. The white teen-agers tended to get part-time jobs through family connections, which filled their time and provided spending money. The few who experimented with street robberies quickly found themselves confronted by angry neighbors or businessmen who were prepared either to go to the police or whip the youngsters into line themselves—a form of what anthropologists call local social control.

Robert R. McElroy—Newsweek

Sullivan and source: Examining the process

In contrast, few of the black and Hispanic youths managed to find part-time work. Instead, they took to street corners where most moved from intramural mayhem to muggings. At first, their behavior tended to be tolerated by the neighbors because of a brisk local trade in stolen goods. For instance, Sullivan describes two local merchants buying a hot typewriter and an adding machine on the street. The young thieves soon grew sophisticated. One of them, whom Sullivan calls Gaspar Cruz, spent days carefully planning his burglaries; since he couldn't read, he enlisted his sister to read aloud books on burglar alarms.

While local residents tolerated burglaries, they drew the line at muggings. "No community will stand for random street attacks," says Sullivan. But he found that was a hard lesson for the young offenders to learn in the abstract. Many of the boys progressed to muggings as they grew bigger. Typically, they struck close to home because they knew the turf. Their victims, however, soon knew them and many were able to identify them to police. Eventually almost all the muggers were arrested, or if they weren't, they knew someone who was. Some, like Zap Andrews, weighed the odds and changed course. His specialty was elevator robberies in housing projects. Not long after one incident he discovered that his victim was his new girlfriend's mother who could easily have identified him. Zap, as Sullivan says, had saturated his market. Later he lost more of his bravado after being arrested for assault and landing in jail. Then he turned 17 and found a job in a dry-cleaning shop, where the money was steady and the risks were few. "Hey," he told Sullivan, "I learned before I got my 20 years."

The big question implicit in Sullivan's work is how Zap Andrews and his friends can learn their lessons sooner. There are no easy answers; but they are more apt to emerge from research that focuses—as the Vera study did—on the processes of crime, and not just on its results. Ignoring those processes may itself be delinquent.

ARIC PRESS

NEW YORK TIMES December 28, 1983

Thousands of Youths Jailed With Adults Each Year Despite Reform Efforts

By EDWIN B. LAKE

In communities throughout the country, tens of thousands of juveniles are locked up each year in adult jails in spite of a Federal law that discourages this and a Federal court ruling that has found such incarceration unconstitutional.

A study completed in 1980 said 480,000 juveniles were locked up that year with adults. A census taken in 1982 by the United States Bureau of Justice Statistics, working with the Census Bureau, found that on June 30, 1982, there were [illegible] juveniles in adult jails, not counting those in 48-hour lockups. Another one-day count has been taken but will not be released until next summer. Experts think the number may decline somewhat, but they say the problem is still serious and widespread.

The practice has persisted for years and is found to some extent in every state, according to the Federal Office of Juvenile Justice and Delinquency Prevention. It occurs mostly in rural areas where juvenile detention facilities are limited or nonexistent, and it risks exposing youths to exploitation and violence, experts on juvenile justice assert.

"A runaway or a mentally retarded child who is accused of no crime will be thrown into a jail with adult criminals and the child may be raped or otherwise brutalized," said Senator Arlen Specter, Republican of Pennsylvania, the chairman of the Senate Subcommittee on Juvenile Justice.

Many Are Not Offenders

In some cases, the juveniles are put in cells with adults; in others they are put in separate cells but may have contact with adult inmates in adjoining cells and outside the cells at meals and other times.

The juveniles range in age from 11 to 17 years, but the median age is 16, according to figures provided by the Office of Juvenile Justice.

Four percent of the juveniles jailed with adults each year have been accused of no crime, according to the Federal figures; these [illegible] are mentally retarded, disturbed or abused youths. Twenty percent are runaways or juveniles who have been caught drinking or who have been found to be sexually promiscuous. The majority, [illegible] percent, have been charged with property or misdemeanor offenses. Only one in 10 of all juveniles held in adult jails has been charged with a serious offense.

The suicide rate among juveniles in adult jails is nearly eight times the rate in juvenile detention facilities, according to the Federal figures.

Senator Specter and others are concerned that young people continue to end up in adult jails in spite of the Juvenile Justice and Delinquency Prevention Act. The legislation, enacted in 1974, required that states agree, as a condition for receiving Federal grants involving juvenile justice, to have all juveniles separated from adult prisoners within two years. The problem persisted in most states, and when the act was reauthorized in 1980, it gave states five years to remove juveniles from adult jails.

Law Up for Reauthorization

The law will be up for reauthorization again in 1984, and concerned legislators, including Senator Specter and Representative George Miller, Democrat of California, are bracing for a fight with the Reagan Administration. Congress fought off efforts by the Administration, in its first three years, to end financing of the Office of Juvenile Justice.

"The existing law does not go far enough," Senator Specter said. "There are still approximately a half a million juveniles who go to jail in this country every year." He has introduced three bills that would supersede the act. They would bar states from jailing juveniles charged with crimes with adults, would prohibit the incarceration of nonoffenders, such as runaways, and would authorize Federal money to help states check jail employees' background.

The House Select Committee on Children, Youth and Families, of which Representative Miller is chairman, recently concluded a series of five hearings around the country. "One of the recurring problems was the community's inability to handle the problem of juvenile delinquency, status offenses and violent offenses," Mr. Miller said.

Only four states — North Dakota, South Dakota, Wyoming and Nevada — are not participating in the Federal juvenile program.

In 1982 New York and Connecticut reported to the Office of Juvenile Justice that they had no juveniles in adult jails, and New Jersey reported 27. But none of the three states reports the number of juveniles held less than six hours. And in New York and Connecticut, anyone who is 16 or older and is charged with a crime would not be counted because the case would be handled by an adult criminal court.

Typical Route to Jail

Michael J. Dale, of Phoenix, lawyer who specializes in injury and civil rights cases, outlined a typical route juveniles take to jail:

"A cop picks up a kid in Farmington, N.M., or St. George, Utah, or Flagstaff, Ariz., and the kid is a runaway on the way from Chicago to Los Angeles. The kid has not committed a crime, but he is a runaway. So the cop puts him in the slammer overnight or for a short period of time.

"The police officer wants to get rid of him. They don't like to deal with kids — they are a pain in the neck — and all of a sudden the child finds himself in a jail in a small town."

What happens to juveniles who are incarcerated? Some are raped, physically assaulted or exploited and a few are killed. Others are put in maximum-security cells or drunk tanks.

There are jailers who are willing to empty an entire unit in jail to give juveniles a separate facility. But even in medium jails, 20 to 30 adults might have to be transferred to accommodate two or three juveniles. As an alternative, jail officials may keep juveniles in solitary confinement or in isolated cells with little or no supervision.

Death in Isolated Cell

In December 1982, [illegible]-year-old Robert Lee Horn of rural Oldham County, Ky., was ordered by the local court to be held in the Oldham County Jail for truancy. After four days, he was released, but he returned the same day after arguing with his mother over money. At 11 P.M. he was locked in an isolated juvenile cell on the jail's second floor. Half an hour later, he was dead. He had used his shirt to hang himself.

Mark I. Soler, director of the Youth Law Center in San Francisco who is representing the Horn family in a civil rights suit against Oldham County and local officials, contends that efforts by the Office of Juvenile Justice to make states comply with Federal requirements have slowed under the Reagan Administration.

The Administration, he said, "has communicated the idea to public officials in the states that the important thing to do is to lock up juveniles who are accused of crimes, and don't worry so much about compliance."

Limited [illegible]

Alfred S. Regnery, the administrator of the juvenile justice office, said: "Critics may claim that we are not doing as much as we could, and I suppose in fairness that is probably true. But we are not doing as much as we should for a lot of things simply because we don't have the resources."

The 1983 budget was [illegible] million. Of this, [illegible] million went to grants for the states and territories to help them correct problems with juvenile justice.

A ruling by Federal District Judge Helen J. Frye in August 1982 in a Portland, Ore., case, D.B. v. Tewksbury, marked "the first time that a court goes so far as to say that it is a violation of the Federal Constitution to confine children in jail," said Susan Svetkey, a lawyer for the plaintiffs. The judge ruled that such confinement violated the juveniles' rights under the 14th Amendment.

Bill Treanor, executive director of the Youth Work Alliance, a coalition of 2,500 groups that help juveniles, said, "It's very poor crime control policy to be putting young people in the setting that brings them into contact with adult criminals."

He added that in Pennsylvania "no juveniles are held in adult jails, so we know it can be done in any state." Pennsylvania, which in 1975 had 3,100 juveniles confined in adult jails, had none by 1982.

March 1984
The Nationa
DISASTER
MANAGEMENT

PRESIDENT'S MESSAGE

Removal of JUVENILES From Adult Jails

The housing and mixing of juveniles with adults in our county jails and municipal lock-ups has been a situation which is universally recognized as injurious not only to the individual youth but to society as a whole. Efforts have been made in recent years to eliminate this problem. In fact, federal law applies pressure for the complete removal of juveniles from adult jails by December 8, 1985. "Removal" means separation from adult offenders, not removal from punishment or supervision. While one obvious alternative is a separate secure facility, alternatives such as supervised, noninstitutionalized systems have been suggested and tried.

A survey taken in 1976 by the Children's Defense Fund estimated that at least 500,000 juveniles were held in either adult county jails or municipal lock-ups. By 1980 the problem had not waned. According to a study done by Community Research Center of the University of Illinois for the Office of Juvenile Justice and Delinquency Prevention, 479,385 juveniles had spent time in adult jails and lock-ups that year. On one specific day in June of 1982, the U.S. Department of Justice, Bureau of Statistics found 1,729 juveniles in county jails. This translates to over 300,000 per year in county jails alone, not counting those in municipal lock-ups.

More revealing than the figure showing total number of detainees is the data which shows the breakdown of why the youths were there in the first place. According to the Children's Defense Fund study, nine percent were being held for crimes against persons. Sixty nine percent were charged with property offenses. 18 percent were status offenders (runaways, truants, etc.), and four percent had committed no crime whatever. A real question arises as to whether or not over 90 percent of the juveniles need be confined at all, especially in an adult facility.

Sheriff Richard J. Elrod
NSA President
Cook County, Illinois

Since that survey, several states have removed "status" offenses from the list of acts for which juveniles can be jailed. But, the others remain. The most recent Department of Justice report shows that 20 percent of all juvenile arrests are for status offenses.

Those who argue that we should not coddle the delinquent are quite right. However, their imprisonment with hardened criminals is not the answer either. "Let the punishment match the offenses," said the great Roman statesman cicero. Sometimes, in a effort to separate juveniles because of a lack of adequate facilities, jailers are forced to treat juveniles more severely than adults. In order to separate youths from adults by "sight and sound" as has been the rule in many states, jailers are sometimes forced to put juveniles in the only space available such as solitary confinement or padded cells.

Perhaps the most telling statistic is that of juvenile suicides. According to a study by the Community Research Center, the rate of juvenile suicides in adult detention facilities is eight times higher than those detained in a separate secure juvenile detention center. This statistic—12.3 per 100,000 versus 1.6 per 100,000 is also five times greater than the already frightening high figure of 2.7 per 100,000 in the general juvenile population.

Through the National Coalition for Jail Reform, your National Sheriffs' Association has joined with other professional and civic organizations such as the American Bar Association, American Correctional Association, American Jail Association, National Association of Counties, National League of Cities, National Legal Aid and Defender Association and the John Howard Association among many others, in adopting a policy that "no juveniles should be held in adult jails."

Sheriffs have more than a casual interest in this topic. In most cases we are managers of our county jails. We not only have a statutory concern but a personal one as well. In at least one case in Virginia, a sheriff was held personally liable for the rape of a juvenile in his jail. Recently the case of a juvenile killed in an Idaho jail has also made National news. Other cases around the country are pending with the possibility of similar results. It is in a sheriff's own best interest that he address this problem immediately.

In many states, the local sheriffs' association has assumed leadership in implementing the federal regulations. In Illinois and Colorado for instance, committees have been formed to work with various interests in the criminal justice system. A very successful program is already in place in Colorado.

To some, this task might seem either too permissive or too difficult to implement. But when considering these kinds of problems, these words of encouragement come to mind, "To give up the task of reforming society is to give up one's responsibility as a free man."

Again, let me emphasize that permitting juveniles to escape retribution or punishment is not being advocated. What is being advocated is the elimination of unnecessary detention, especially detention in the same jail with adult prisoners.

In a recent U.S. District Court decision in Oregon, *D.B., et al v. Teuksbury*, 545 F. Supp. 896 (1982), the court found: "A jail is not a place where the state can constitutionally lodge its children under the guise of *parens patriae*. To lodge a child in an adult jail pending adjudication of criminal charges against that child is a violation of that child's due process rights under the Fourteenth Amendment to the United States Constitution."

A similar ruling was made in *Martin v. Strasburg* (U.S. Ex Rel., 513 F. Supp. 691 (1981) U.S. District Court, S.D. New York.) And you will have to go back to 1975 in *Swansey vs Elrod*, (386 F. Supp. 1138 (1975) U.S. District Court N.D. Illinois, E.D.) when at my own behest, a suit was brought in Cook County, Illinois which resulted in the agreed court order to remove all juveniles from the Cook County Jail. Here the court referred to the Eighth Amendment.

In 1980, Congress reauthorized and amended the Juvenile Justice and Delinquency Prevention Act. Included in the amendments were new provisions regarding juvenile removal from adult jails. The law provides that by December 8, 1985, "... no juvenile shall be detained or confined in any jail or lockup for adults..." However, if a program is in place and the proper state executive or legislative action has been taken and, providing also that the state has achieved not less than 75 percent removal, a two year extension to 1987 could be awarded. The penalty for not meeting these goals would be loss of federal funding for juvenile justice and delinquency prevention. Time is short to meet these deadlines.

However, loss of federal funding should not be the reason for supporting this idea. We should be behind juvenile removal because it is the right thing to do.

What are the alternatives? As Walter Lippmann once said, "Unless the reformer can invent something which substitutes attractive virtues for attractive vices, he will fail."

Isn't it a common practice in our jails that inmates are classified? Don't we separate the violent criminals from the non-violent; the males from the females; the suicidal, escape risks, the homosexuals from the general population; gang members from their leaders? Why not separate the most vulnerable youth from the adult population?

There are two basic alternatives to adult/juvenile co-detention. One is the secure juvenile detention situation and the other is nonsecure supervision for less serious offenses.

A juvenile could be held in a secure detention center, separate from at least the main body of the adult jail, preferably, a reasonable distance away. Here specialized programs fitted to the needs of these juveniles could be conducted. Perhaps some future criminal prevention could take place. The American Justice Institute estimates a program such as this cost $61 per day. This is an expensive but productive alternative although not the only one. A close look must also be taken at these institutions. Are the right juveniles in them? Do they all belong there? There are those who will argue that basically only those dangerous to society, (i.e. those charged with crimes against persons and certain property offenses) need secure detention.

Another form of secure detention is a secure group home. These are homes for a small number of juveniles which provide total restriction in a residential and homelike atmosphere. Washington, D.C. and Massachusetts have such programs —among others.

The vast majority of cases need not require secure detention. There are several ideas that are being tried that would de-institutionalize juvenile supervision and at the same time save the taxpayer huge amounts of money. One idea is what has become known as "Home Detention." Kids today would probably call this being "grounded." The juvenile is ordered to remain at home except for daily duties such as school, doctors' visits, attorneys' visits and the like. Home detention counselors oversee youth through daily visits and calls.

Milwaukee, Wisconsin has a program like this called The Outreach Home Detention Program. Milwaukee's experience has been that it costs only $8.27 per day per youth to conduct this program.

Judge Lindsay G. Arthur, of Hennepin County, Minnesota has this to say about his county's success. "Public safety has not been endangered by this (home detention) program ... kids recognize that home detention is a credible program because it holds them accountable for their actions."

Ames, Iowa has Youth and Shelter Services, Inc., which provides emergency care to youths referred by their parents, the courts and social service agencies. This type of service is known as a shelter care facility.

Foster homes are yet another alternative. In these efforts families take in troubled youths who need to be removed from their own homes temporarily. The Proctor Program of New Bedford, Massachusetts for example, pays single women to take one girl at a time into their homes for 24-hour care and supervision.

The comprehensive Juvenile Service Center concept is used in Birmingham, Alabama. Innovative Resources, Inc. operates two co-educational, nonresidential programs for adolescents who are experiencing problems. Organizations like these around the country provide supervision in education, recreation, vocational training, drug abuse and alcohol counseling as well as individual and family counseling for youths who reside at home.

In the case of minor juvenile offenses, perhaps the successful system used by the juvenile courts of Memphis and Shelby Counties Tennessee could be tried. Youths charged with offenses of a minor nature are issue summonses or citations by the police much like a traffic citation. Since the delivery of the first summons in Memphis in 1965, 99.4 percent have appeared in court at the designated time.

Other alternatives are community service programs and restitution. Montgomery County, Maryland courts can sentence a juvenile to do community work. In Washington, D.C., courts can order the juvenile to enter into a restitution contract with his victim. The youth is supervised and held responsible for his actions.

These are only some of many ideas which have been offered as ways of keeping juveniles, who are not yet hardened criminals, out of jail situations which are neither fair to the youth nor productive to society. In today's overcrowded jails, the last thing we need is to bring in juveniles to further complicate our situation. Removing juveniles from adult jails is cost effective if handled properly. Removing juveniles is responsive to the Eighth and Fourteenth Amendments to the Constitution, is responsive to federal court rulings, can prevent crime and even save a life. Removing juveniles also helps relieve overcrowded jails.

Alternatives must be found but each community must judge which solution is best. There are proven alternatives to jailing juveniles.

Finally, it is in a sheriff's own best interest that juveniles be separated from adults in the county jail, for the sheriff is the one most vulnerable to criticism. ★

STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION

(Act of August 12, 1970; Section 3685, Title 39, United States Code)

1A. Title of publication: The National Sheriff

1B. Publication Number: 00280100

2. Date of filing: 11-2-83

3. Frequency of issue: Bi-monthly

3A. Number of Issues Published Annually: 6

3B. Annual Subscription Price: Included in membership

4. Location of known office of publication: 1250 Connecticut Avenue, N.W., Washington, D.C. 20036

5. Location of the headquarters of general business offices of the publisher: 1250 Connecticut Avenue, N.W., Washington, D.C. 20036

6. Names and addresses of publisher and editor: Publisher, L. Cary Bittick, Publishing Director, 1250 Connecticut Avenue, N.W., Washington, D.C. 20036; Editor, Philip L. Lynn, 1250 Connecticut Avenue, N.W., Washington, D.C. 20036

7. Owner: The National Sheriffs' Association, 1250 Connecticut Avenue, N.W., Washington, D.C. 20036

8. Known bondholders, mortgagees and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages or other securities: None

9. Not applicable

10. Extent and nature of circulation:

	[illegible]	[illegible]
A. [illegible]	[illegible]	[illegible]
B. [illegible]		
1. [illegible]	[illegible]	[illegible]
2. [illegible]	[illegible]	[illegible]
C. [illegible]	[illegible]	[illegible]
D. [illegible]	[illegible]	[illegible]
E. [illegible]	[illegible]	[illegible]
F. [illegible]		
1. [illegible]	[illegible]	[illegible]
2. [illegible]	[illegible]	[illegible]
G. [illegible]	[illegible]	[illegible]

I certify that the statements made by me above are correct and complete.

L. Cary Bittick, Executive Director

The Washington Model Law Enforcement Manual

Specifically produced to assist Sheriffs and Police Chiefs in developing and revising departmental policy and procedures.

The manual — and its companion *Guidebook for Law Enforcement Manual Development* — contain vital information every law enforcement agency needs. Protect your organization by using this time-tested document.

$35 [illegible]

To order, or for additional information send requests to

WASHINGTON ASSOCIATION OF
SHERIFFS & POLICE CHIEFS
P.O. Box 826
Olympia, WA 98507
or call
(206)459-6386

MAY 1[illegible] 1984

The Virginian-Pilot
The Ledger-Star **Commentary** Editorials • Columns • Letters • Books

Finding Justice for
JAILED CHILDREN

The debate over sentencing young offenders to Virginia's adult jails raises not the question of whether a time-worn policy will be changed. But how? And when?

By JOE FAHY
Staff Writer

Outside the barred windows, the grass seems unnaturally green on this Easter morning, shimmering brightly through a mist of rain. Inside, past a series of deputies and steel doors, the three mop-haired boys sit at a bare cafeteria table, chain-smoking Marlboros under the glare of fluorescent lights.

Such are the restrictions of the law that the teenagers, convicted of a variety of crimes and held in this Tidewater jail, cannot be named. But they look like any group of bright-eyed students, even in prison jumpsuits — on a day when many of their peers are garbed in Easter finery.

The stories they relate are disturbing. Billy, age 16 and hardly five feet tall, has been smoking marijuana since first grade. Billy has a long history of drug possession and breaking and entering, and once stole a $16,000 coin collection from his father — spending some of the rare coins at face value.

Mike, 16, with a wispy beard and engaging grin, hasn't attended school regularly for three years. He was jailed for assault after choking a smaller boy until he turned blue.

Johnny, 17, first ran away from home four years ago, when he pedaled his bike to the North Carolina state line and thumbed a ride to Florida. He worked on a fishing boat for three months before his employer's wife turned him in. Later, Johnny and a friend pawned articles taken in residential burglaries to finance trips to other states, sometimes disappearing for weeks at a time.

When Johnny telephoned his mother following his arrest in North Carolina, she sobbed, "I'm so happy." She hadn't heard from him in months.

Juveniles were responsible for roughly 27 percent of all major crimes reported in the state last year, according to Uniform Crime Report statistics compiled by the Virginia State Police. Youths under 18 committed 11,874 of 47,481 serious crimes ranging from murder, rape and robbery to aggravated assault, burglary, larceny and auto theft.

As in many states, juveniles charged with especially serious crimes in Virginia can be transferred to a higher court and tried as adults. For less serious offenders, most states — including Virginia — provide a variety of treatment programs designed to keep the teenage criminal from becoming an adult offender.

Virginia is currently one of only seven states that allow juvenile courts to detain children in adult jails, as long as they are separated by "sight and sound" from adult inmates. Adult jails in Virginia are sometimes used as holding facilities for juveniles, and about 70 adolescents between 15 and 18 are now serving jail sentences in the state.

But if the year were 1987, none of them — including this trio of youthful offenders — would be in an adult correctional facility at all.

[redacted] passed by Congress in 1974 and amended most recently in 1980, requires the states to remove all juveniles from adult jails by that time to qualify for federal funds. Instead, they must be placed in detention centers or jails specially reserved for juveniles. The act also asks the states to achieve "substantial compliance" with the law by December 1985.

If a determined group of lobbyists and legislators had its way, however, juveniles in Virginia charged with a variety of serious offenses could not be held in a locked facility at all.

During the 1984 General Assembly, a group of legislators led by Del. Frank M. Slayton, D-South Boston, Sen. Thomas J. Michie Jr., D-Charlottesville, and University of Richmond law professor Robert Shepherd Jr. nearly succeeded in winning passage of a bill that would in some respects have gone beyond the requirements of the federal statute. During their sometimes emotional campaign, the group used statistics that dramatically inflated the number of juveniles jailed in Virginia. Some members of the group said last month they had known the figures were exaggerated.

The bill passed the House and nearly

Photo illustration by John H. Sheally II

Section C

Sunday, May 6, 1984

passed the Senate, and will almost certainly be resurrected during the 1985 session, Michie said.

The General Assembly's recent discussion of how best to conform to the new federal law is only the latest instance in a long series of efforts by Slayton, Michie and others to sharply limit the authority of the state's juvenile judges.

Several judges who fought the bill say that if it had been enacted, juveniles who were first-time offenders could not be held in any type of locked detention facility if they were charged with the following crimes:

Sexual battery, the manufacture of bombs, assault and battery, entering property with the intent to vandalize, manufacture and distribution of certain drugs, carrying a concealed weapon, voluntary or involuntary manslaughter and arson in the daytime.

In order to buttress their case, Michie and his colleagues used statistics on the number of juveniles jailed in Virginia that they later acknowledged were almost double the actual figures.

Those figures — released in a study report prepared by the State Crime Commission — indicated that nearly 4,000 juveniles were jailed in Virginia during fiscal 1982. But skeptical juvenile court judges re-examined the statistics, determined that some juveniles had been counted two or more times and concluded the figure was closer to 2,100.

In an interview after the General Assembly adjourned, Michie said it was "obvious" that the inflated figure referred to separate "commitments" to jail (juveniles sentenced, for example, to five weekends in jail would count as five commitments). But a report issued by a joint subcommittee chaired by Michie and presented to the governor and the General Assembly stated that an annual average of 4,000 "children" were held in the state's adult jails between 1978 and 1980.

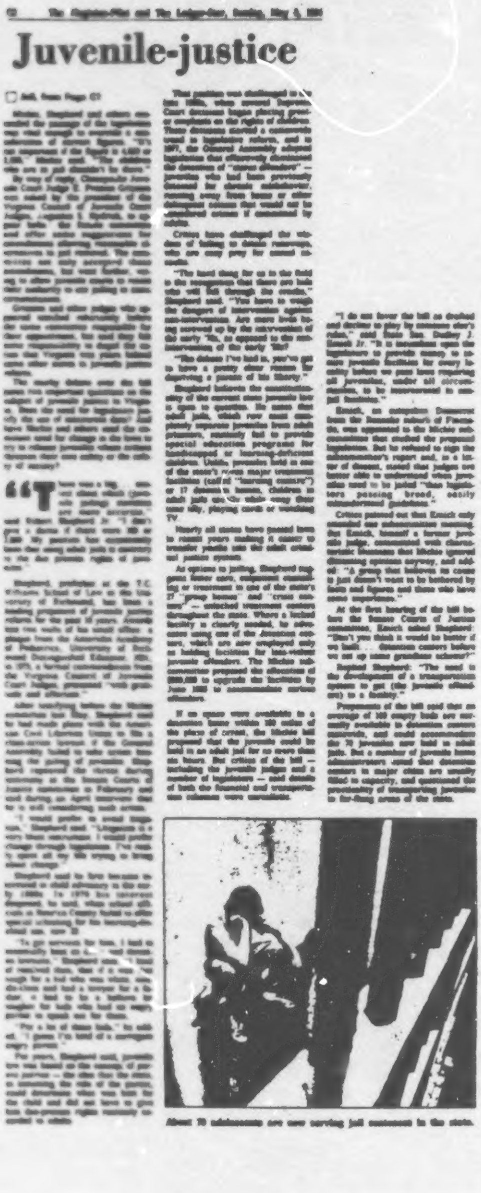
That section of the report "wasn't written too well," Michie later said.

The inflated figure was sufficient, however, to provoke the indignation of daily newspapers in several cities. A June 24, 1983 article in The Richmond News Leader stated: "According to recent statistics, Virginia has about 4,000 juveniles in adult jails. This puts it among the top three states in the nation in this regard." A Sept. 21, 1980 editorial in the Richmond Times-Dispatch referred to the same statistics, and concluded that "the number of juveniles jailed in adult facilities has continued to rise." An Oct. 30 article in The Virginian-Pilot and The Ledger-Star also used the figure in a story headlined, "State's poor record on jailing juveniles to get review."

While the bill was being considered in the Senate, several juvenile judges were invited by Del. Claude Anderson, D-Buckingham, to testify before the Senate Courts of Justice Committee.

Anderson, chairman of the Crime Commission and a member of the Michie committee, later said he didn't believe the 4,000 figure prepared by his own commission was accurate. He also refused to sign the Michie report, saying that he felt Michie's proposals "were too far-reaching."

☐ Please see Jail, Page C3



Juvenile-justice

About 70 adolescents are now serving jail sentences in the state.

reformers admit juggling statistics

> *After the Senate and juvenile court judges got to it, it's not a good bill anymore.*
>
> — Del. Frank M. Slayton
> — juvenile justice subcommittee

> *No one wants to see juveniles in jail. But there are times when jail-type confinement is necessary. . . .*
>
> — E. Preston Grissom
> — Chesapeake Juvenile Court judge

"It's [illegible]," said John C. Mensh, Executive Director of the Tidewater Group Home Commission, which [illegible] five area group homes. "If [illegible] pick up a kid in Virginia Beach at 2 a.m. and our homes here are filled, are you going to take him to Richmond and then go get him for a 9 a.m. hearing?" Under the proposed law, children could be held in adult lockups under extraordinary circumstances, but only for a maximum of six hours.

"Transportation is a real problem that needs to be worked out comprehensively," said Joe Fedeli, Deputy Director of Residential Services for the juvenile court in Fairfax. "What happens if the child is 50 or 100 miles away, and the parents want to visit?"

"I wouldn't want the plan enacted," he continued, "until some kind of feasibility study is done." No such study has yet been prepared by the state Department of Corrections, the Michie subcommittee or the State Crime Commission.

Passage of the proposed law "would have been a disaster for the detention homes," said Curtis Nolan, administrator of the Anchor Group Home System in Martinsville. Under the planned legislation, he noted, juvenile judges could sentence juveniles to the detention home for up to 60 days. "If you take a group of hard-line juveniles and put them in there . . . with women not trained as jailers, you're going to find (the women) in a very vulnerable position," Nolan said.

Shepperd said in an interview that a reappraisal of the juvenile detention system would show that many children now held in secure detention could actually be in the non-secure group homes, while many in the homes could be released to their families.

But administrators of the homes disagreed. "I don't think that's true," Mensh and Fedeli added. "The parents are not clamoring for these kids to return home. They say the kids need help."

Chesapeake Judge E. Preston Grissom sat in his office recently and recalled testifying in February before the Senate Courts of Justice Committee. "I used as a hypothetical example a case involving a juvenile caught at 2 o'clock in the morning going up and down the street, slashing tires and seat covers," Grissom said. "Then when he's picked up, he tells the police they can't do anything to him because he's a juvenile.

"In some cases," he went on, "it can take as long as three hours to conduct the intake hearing because the juvenile is out of control. And when it's all over, the police have to release him or take him to a neighborhood group home."

Grissom testified at the request of Anderson several days after the committee first considered the Michie bill. The delegate said he asked the judges to suggest amendments to the original legislation after he read a report by the Virginia Council of Juvenile and Domestic Relations Court Judges critical of the Crime Commission's conclusion that 4,000 juveniles were being jailed annually in the state.

"I was willing for (the) bill to be amended," Anderson said in an interview. "I wanted the judges to explain to me what they needed."

The Washington Post criticized Anderson's choice of witnesses, noting that he and Grissom had been classmates in law school.

Both men confirmed they attended school together years ago, but denied they had any regular contact in recent years. "When Judge Grissom appeared before the committee, I think that was the second time I'd seen him since we graduated," Anderson said.

Five years ago, Grissom also had been criticized by Del. Slayton, a member of the Michie subcommittee and a sponsor of the bill in the House of Delegates. Slayton used statistics gathered in what he termed a "random survey" to show that Grissom had illegally jailed 16 Chesapeake youths. When Chesapeake members of the assembly defended Grissom, the Department of Corrections reviewed the statistics and found the charges were unfounded.

Grissom told the Senate committee that youths charged with a variety of crimes could not be held under the proposed law — even in a detention home.

At the hearing, Emick asked Grissom, "If a boy was picked up for drunk driving in the 28th District (where there is no detention home), could he be detained?"

Grissom replied that if the boy was a first offender, he would have to be released unless space in a non-secure group home were available.

"No one wants to see juveniles in jail," Grissom told the committee. "But there are times when jail-type confinement is necessary, and we have to have reasonable alternatives."

Under the proposed law, secure detention before trial would be limited to youths charged with murder, rape or robbery. Judges could only order detention for other juvenile suspects if they were demonstrated escape risks, were on probation or parole or had been found guilty of a felony or Class 1 misdemeanor within the past year.

After Grissom's testimony, the Senate committee passed by a vote of 6-2 an amended bill [illegible] would have allowed judges to detain a juvenile accused of any felony or serious (Class 1) misdemeanor — a move that evoked a storm of protest from the bill's original sponsors. "After the Senate and juvenile court judges got to it, it's not a good bill anymore," Slayton told the Post.

The judges disagree. "We feel our discretion is being taken away from us," a frustrated Judge Larry Jenner of Amherst had testified at an earlier Senate hearing.

Jenner called the limitation to murder, rape and robbery "a little bit restrictive," and added that he felt some of the statistics made available to the committee were "grossly misrepresentative."

Other critics also said that some statistics — in addition to the 4,000 jailing figure — did not accurately reflect the state of juvenile justice in Virginia and the rest of the country. They noted that according to the Crime Commission report, "youths are nearly eight times more likely to commit suicide in adult jails than in juvenile detention centers." The same report later observed, "There have been few documented incidents of suicide or attempted suicide by juveniles in jail in Virginia." The study listed three suicides and two attempts since 1980 by juveniles in Virginia jails.

"There is no record that the suicide rate is greater among juveniles in Virginia jails than it is in other juvenile detention facilities," Grissom said.

The judges also questioned the validity of the commission's conclusion that Virginia is one of only seven states that continue to place juveniles in adult jails. They noted that in some states — notably, New York and North Carolina — the legal age of adults is lower than 18, a fact which in effect reduces the number of reported crimes by juveniles. "In Pennsylvania, if a juvenile commits a felony, he is immediately handed over to adult court," said a spokesman for the Office of Juvenile Justice and Delinquency Prevention in Washington. "That puts Pennsylvania in the (legal) position of having no juveniles in jail whatsoever."

Critics of the proposed legislation agree the state's juvenile code may be in need of reform. But they also believe that the methods used by the Michie group to bring about change were unjustified.

"I don't believe the present law is abused very much," Emick said. "I believe its defects are grossly exaggerated by the proponents of this measure — who seem to be orchestrating a sense of hysteria to get their end result."

Del. Michie

Costs soar for jailing juveniles

By Sam Meddis
USA TODAY

The costs of incarcerating youths soared by 43 percent across the USA between 1979 and 1982, a new study says.

The average annual cost per juvenile in a detention facility — where inmates await trial — went to $23,482, but Washington, D.C., went as high as $114,877, says a University of Minnesota study based on U.S. Census Bureau data.

The average cost per juvenile in a training school — where young people are placed after conviction — was $22,534, the study says.

"We have to ask ourselves, 'What are we getting for our dollar and are these places really being used for public protection?'" researcher Ira Schwartz said Wednesday.

Factors in the cost increase include: Unused bed space and a high ratio of supervisors and professional and custodial staff to the number of juvenile inmates, Schwartz said.

For example, Schwartz said, Census figures showed that in 1982, the detention facility in Washington, D.C., had an average daily population of 13 despite a capacity for 37. Its operating expenditures that year were nearly $1.5 million, Schwartz said.

Patricia Quann, administrator of the district's youth services, disputed the study. Detention center costs per juvenile were between $25,000 and $35,000 annually and a bed rarely goes unused, she said.

Nationally, costs have probably continued to increase since 1982 because many states — including Arizona, California, Minnesota and Florida — have been expanding their facilities, Schwartz said.

More spent on centers for our troubled youth

More than $899 million was spent on public detention centers and reformatory training schools in 1982 — a 37 percent increase from 1979. The District of Columbia spent the most per inmate on detention centers, while Rhode Island spent the most on reformatory training schools. What each state spends per inmate (Story, 3A):

State	Dentention centers	Training schools	State	Dentention centers	Training schools
Ala.	$13,633	$17,397	Mont.	*	$32,432
Alaska	$52,876	$45,572	Neb.	$27,176	$19,793
Ariz.	$27,526	$20,559	Nev.	$33,819	$16,835
Ark.	$23,371	$21,489	N.H.	*	$28,274
Calif.	$20,045	$21,703	N.J.	$30,191	$16,838
Colo.	$28,041	$21,358	N.M.	$41,369	$20,451
Conn.	$75,083	$50,099	N.Y.	$64,044	$50,620
Del.	$18,607	$21,205	N.C.	$30,906	$20,361
D.C.	$114,877	$25,707	N.D.	$20,453	$19,935
Fla.	$15,223	$11,184	Ohio	$20,981	$17,116
Ga.	$17,544	$18,737	Okla.	$17,658	$51,062
Hawaii	$22,428	$23,468	Ore.	$26,308	$20,196
Idaho	$67,869	$20,670	Pa.	$33,325	$44,606
Ill.	$18,589	$21,123	R.I.	*	$54,237
Ind.	$15,616	$15,499	S.C.	$25,240	$24,515
Iowa	$40,874	$24,685	S.D.	$15,733	$16,261
Kan.	$34,680	$28,795	Tenn.	$22,506	$16,897
Ky.	$32,570	$21,437	Texas	$19,289	$18,662
La.	$24,447	$15,662	Utah	$22,703	$44,552
Maine	*	$22,294	Vt.	*	*
Md.	$24,312	$13,964	Va.	$22,791	$21,952
Mass.	$36,663	$34,446	Wash.	$19,796	$27,655
Mich.	$31,272	$31,951	W.Va.	$22,893	$25,701
Minn.	$35,594	$29,312	Wis.	$41,680	$29,104
Miss.	$13,269	$13,181	Wyo.	*	$17,181
Mo.	$21,124	$20,110	Average	$23,482	$22,534

*no detention centers or training schools

Source: Center for the Study of Youth Policy/University of Minnesota

Private, for-profit prisons take hold in some states

Nearly a dozen are open or planned; costs main factor; wisdom is debated

By Kevin Krajick
[illegible] The Christian Science Monitor

CHARLES Fenton, a former federal prison warden, and his brother, Joseph, a real estate entrepreneur, are about to turn a [illegible]-acre site north of Pittsburgh into the latest venture in a new and growing industry: private, for-profit prisons.

With little public notice, close to a dozen such institutions have opened in the last 18 months, or will open soon. In Pennsylvania, the RCA Service Company runs a juvenile training school for the state. A California-based company, Behavioral Systems Southwest, has converted four motels in three Western states into jails for illegal aliens. This spring, two ex-sheriffs will open a converted military base near Mineral Wells, Texas, as a [illegible] prison for the US Bureau of Prisons.

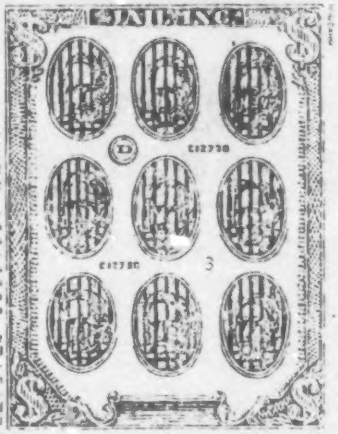
Most corrections officials were skeptical about the idea until recently, but spiraling inmate populations and the rising cost of incarceration have forced them to reconsider. The new corporate wardens assert that they can imprison people more cheaply by eliminating government bureaucracy and using more efficient financing and management practices. The companies take prisoners at rates ranging from $24 a day for the sparse accommodations that illegal aliens receive to about $110, which RCA charges for running a full educational and therapy program for hard-core delinquents.

The Fenton brothers are building the largest private prison yet, a $15 million, 720-bed institution, complete with workshops, a library, and tall double fences behind an earthworks barricade. They plan to specialize in protective-custody prisoners, taken from overcrowded state institutions all over the United States. Correctional officials in New Jersey, Indiana, and Maryland are negotiating with the Fentons, and about 10 other states, including Connecticut and New York, have expressed interest.

Federal, state, and local governments in the United States may spend as much as $10 billion this year on imprisonment, a figure that has led a number of business [illegible] to take notice of the potential for profits. Control Data Corporation opened a corrections services division in January and is looking for prisons to run. The Corrections Corporation of America, a newly formed company based in Nashville, has been financed by the Massey Burch Investment Group, the same investors who started the fast-booming Hospital Corporation of America.

[illegible] Corrections Corporation's [illegible], Thomas Beasley, a real estate [illegible] businessman, plans to run the company's prisons much like the Hospital Corporation runs its nearly 300 hospitals. He will use large purchase orders and centralized accounting and management, and he will hire experienced wardens from the public agencies. The company's first venture is a $4 million, 300-bed detention facility for illegal aliens in Houston. The center opens this month under a contract with the US Immigration and Naturalization Service.

RCA's juvenile training school, situated in the countryside near Allentown, Pa., is housed inside a two-story brick building that belongs to the state. It is buttressed with high fences, mesh-covered windows, and locked steel doors on the outside, but inside, the atmosphere is relaxed. The inmates, who have keys to their own rooms, spend their days attending remedial education and vocational training classes and taking part in daily group therapy. The state dictates most aspects of the institution's program under a $900,000 yearly contract, [illegible] of which is RCA's profit. The [illegible] experts [illegible] and RCA executives [illegible].



Like others in the prison business, they are sending out marketing representatives to sell corrections officials on the idea. In a number of states where private prisons are forbidden by law, entrepreneurs have lobbied for changes. In March, the New Mexico Legislature passed a law allowing counties to contract for private jails, following a lobbying campaign by a Colorado oil and cattle magnate, O. Wesley Box, and officials in seven rural counties who want Mr. Box to build jails for them.

"I tell people wherever I go: 'You can afford to build a jail,'" said Box in a recent telephone interview, delivering his sales pitch in rhetorical tones. "Let me tell you why. . . . Because if you don't lock up the people who are committing the crimes, they'll kick in your door and steal your $400 color TV."

Some observers feel queasy about the prospect of entrepreneurs like Mr. Box making money from imprisoning people. "Should this be an industry that's manufacturing a consumer product?" asks Mark Cunniff, director of the National Association of Criminal Justice Planners. "We're talking about taking away people's liberty. I have questions about anyone but the state doing that."

TRENDS

Some critics are afraid that contract prisons will generate the same kinds of scandals as contract nursing homes, which, despite numerous inspectors and standards, have still frequently become substandard facilities.

The Houston branch of the American Civil Liberties Union has filed a lawsuit in federal district court seeking to halt the practice. The suit claims that contractors, in their pursuit of profits, are apt to make prison life even worse than it already is by cutting back on services and hiring unqualified staff.

The federal government has tried to ensure quality by requiring contracts specifying standards for all aspects of prison life, and by stationing full-time observers in its private institutions. Some critics, however, are afraid that contract prisons will generate the same kinds of scandals as contract nursing homes, which despite numerous inspectors and standards have still frequently become substandard facilities.

That is not to say that government agencies are necessarily better; publicly run prisons in at least 32 states are now under federal court orders to remedy what judges have deemed unconstitutionally cruel conditions.

"These companies are not going into business to make the world a better place," observed Peter Greenwood, a Rand Corporation research fellow who proposed the idea of private prisons several years ago. "But this may be a chance to bring in innovative thinking. The correctional world could certainly [illegible] of that."

Teen-agers held in detention in Tennessee: First the punishment, then the trial

Juveniles: A Holding Action

After nearly a century of effort, this is what the juvenile-justice system has wrought: *before* they are tried, some arrested teen-agers are sent to jail; *after* they have been convicted, they are released to the streets. Why? The law wants to prevent youngsters from committing crimes while it goes about determining whether they already have. But if it finds they have, the system reverses itself and places rehabilitation above incarceration. Last week, by a 6-3 vote, the U.S. Supreme Court ratified these procedures, which Lewis Carroll's Queen of Hearts would have recognized instantly. In the process, the decision embraced the juvenile court's peculiar mind-set: two weeks in a youth jail, the majority held, is not punishment. And, perhaps more important, the ruling encouraged supporters of "preventive detention" of adults to press on with their campaign.

The New York law the high court upheld permits judges to lock up juveniles who present a "serious risk" of committing another offense before trial. Similar laws are on the books of most states and the District of Columbia. Under these rules judges may also lock up kids who seem unlikely to appear for trial. And the result is a giant holding trap. According to a recent study prepared by Barry Krisberg of the National Council on Crime and Delinquency, about 13,000 juveniles—at least two-thirds of whom are awaiting trial—are in detention centers around the nation on any given day. He reports that while the average time in custody varies, ranging from three days in Arkansas to 13 days in South Carolina, one factor remains constant: "The vast majority are subsequently released on probation or the cases are dismissed." Very few, says Krisberg, are ultimately sentenced to jail.

But the Supreme Court wasn't interested in what happened after trial. "The final disposition of a case is largely irrelevant to the legality of a pretrial detention," wrote Justice William H. Rehnquist, overruling two lower courts. "Society has a legitimate interest in protecting a juvenile from the consequences of his criminal activity—both from potential physical injury which may be suffered when a victim fights back . . . and from the downward spiral of criminal activity into which peer pressure may lead the child." Furthermore, he concluded, children "are always in some form of custody . . . if parental control falters, the state must play its part as *parens patriae*."

Gut Reactions: In dissent, Justice Thurgood Marshall wrote that it was "d[illegible] to take seriously" Rehnquist's li[illegible] detention to parental care. In [illegible] view, moreover, the law failed to provide any standards for holding the accused teenager. Each pretrial hearing in New York took just 5 to 15 minutes, Marshall noted, making it a "kind of parody of reasoned decision making." Privately, some juvenile-court judges agreed. One D.C. judge who asked not to be identified was blunt: "With the great volume of cases that comes through here, often you act on your gut reaction." Gut reaction may now be the law of the land, says Robert Schwartz, head of the Juvenile Law Center in Philadelphia: "After this case I'm afraid the theme song will be 'Anything Goes'."

Many judges are perfectly willing to trust their own judgment, of course. "You don't have to be a fortuneteller to determine that certain kids that come into court are dangerous," says Richard Huttner, administrative judge of New York City's family court. "The only kids that go in through this statute are the real inveterate criminals who are a danger to society." Indeed, he says that when the lower courts enjoined the detention law in New York City, he found a loophole in the court order and sent some youths to upstate facilities to get them off the streets. "We need a law to slow down the violent, recidivist juvenile," says James Payne, the chief family-court prosecutor. "We have cases where the youth commits two or three other criminal acts before the first case is resolved."

The problem in New York is that not every kid who gets sent to the Spofford Juvenile Center is a monster. The test case that went to the high court involved 34 teenagers, some of whom were accused of serious crimes such as setting a fire in a manned subway booth or stabbing cases, while others involved more trivial offenses such as stealing a pair of shorts or running a game of three-card monte. Two-thirds of the youths were, in the law's clumsy phrase, "adjudicated delinquents," but only 10 were held after trial. "I'm not saying that society should not confine kids who commit serious crimes, but [it should] put them away after they're convicted, not before," argues New York University law Prof. Martin Guggenheim, who brought the court challenge. After all, he says, detention centers are indistinguishable from jails with their barred windows and locked gates. Indeed, detained juveniles are sometimes treated more harshly than those already found guilty. At the D.C. detention centers, there were not enough warm coats last winter; many of the kids awaiting trial were left to fend off the cold with light jackets.

Signals: This case will probably not be the court's final word on preventive detention. The proposed federal criminal code now before Congress would allow judges to hold, without bail, adult criminal defendants who appear to be a "danger to the community." Rep. Daniel E. Lungren of California, a strong supporter of the measure, said that the court's decision on juveniles "is a good omen." The court, of course, could go either way on a statute that applies to adults; the majority opinion in last week's ruling emphasized the special relationship the law has with juveniles. Beyond that, however, as Elyce Zenoff, a law professor at George Washington University, says, "there is nothing that confines the court's arguments to children." The clearest signal was Rehnquist's aside that "from a legal point of view there is nothing inherently unattainable about the prediction of future criminal conduct." Until now, foes of preventive detention had assumed that because prediction of crimes was at best chancy, writing it into the law might violate due process. Last week's decision says different: criminal behavior is predictable. But as the courts stare into crystal balls, they may be mesmerized by their own prejudices about criminals—and some children may suffer.

ARIC PRESS [illegible]N McDANIEL in Washington
and ALEXANDER STILLE in New York

The 'Benefits' of Jailing Kids

"Preventive detention," once an unmentionable subject in American law, now turns out to be good for children. The Supreme Court, upholding New York's pretrial detention law for juveniles, finds that locking up young people accused but not convicted of crime protects not only society but accused youngsters as well.

Since every state has some form of preventive detention for juveniles, the Court may be prudent in refusing to call all their laws into question. But the judicial approval is too cheerfully oblivious to the way the juvenile justice system really works. And the decision's implications are ominous for the constitutional rights of adults.

•

Preventive detention is the confinement of individuals not for a crime they have committed but for some crime they might commit. Its most infamous use was the World War II internment of Japanese-Americans in the hysteria that followed Pearl Harbor. For years the concept remained so disreputable that police and prosecutors interested in locking up suspects on the basis of dangerousness called it "bail reform."

Most states, including New York, theoretically permit pretrial detention of an adult only if there is reason to believe the accused won't show up for trial. Society's protection is supposed to come from swift and sure punishment of the guilty, not the jailing of those who are still presumed innocent.

The juvenile justice system operates by different rules. The states decided early in this century to assume a parental role toward erring youths. Youngsters under arrest had no more rights than disobedient children in a family. As compensation, those judged delinquent could look forward to a clean criminal record and release under the supportive supervision of a probation officer. Only the most disruptive would be sent away, to institutions that offered rehabilitation, not mere isolation.

In many jurisdictions, society long ago reneged on those premises. Urban probation services are overworked. Custody for juveniles may mean physical danger and a chance to learn more about crime. But the myth that juvenile justice helps the child dies hard. Thus Justice William Rehnquist praises pretrial detention for "providing the youth with a controlled environment and separating him from improper influences pending the speedy disposition of his case."

Justice Thurgood Marshall's dissent argues eloquently that a tighter juvenile bail law could fully protect both the accused and society. It also shreds the majority's claim that judges, especially at the pretrial stage, can predict which defendants are likely to commit crimes if released. When courts now venture predictions they come after a trial and a guilty verdict, not before trial when information is scanty and guilt far from established.

The Court has not yet ruled on the constitutionality of preventive detention for adults. While this decision reveals a disturbing willingness of a majority to accept the concept, it's important to remember that preventive detention can in no way be considered in the best interest of adult offenders.

Hv 9088 U.S. A

S-83 15921

PHYSICAL PUNISHMENT AND DELINQUENCY: A Research Note

ROBERT AGNEW
Department of Sociology
Emory University

Much data indicate that the use of physical punishment by parents is positively associated with official and self-reported delinquency (Glueck and Glueck, 1950; Bandura and Walters, 1959; McCord et al., 1961; Gold, 1963; Hirschi, 1969; Welsh, 1978). The work of Nye (1958) and McCord et al. (1959), however, is an exception. Nye found no relationship between physical punishment and self-reported delinquency, and McCord et al. found that the consistent use of punitive discipline (beatings, displays of violent anger, aggressive threats) was associated with the lowest rate of official delinquency. Peterson and Becker (1965) explained these contradictory findings by arguing that only McCord et al. (1959) controlled for the consistency of physical punishment, finding that when physical punishment is consistently applied it does not promote delinquency and may even reduce it. Children may simply be afraid to misbehave if they know that every transgression will be met with a beating. Because Nye (1958)

YOUTH & SOCIETY, Vol. 15 No. 2, December 1983 225-236
© 1983 Sage Publications, Inc.

did not control for the consistency of discipline in his analysis, it is not clear why he failed to find a relationship between physical punishment and delinquency. It is possible, however, that many of the people who employed physical punishment in Nye's sample did so in a consistent manner. There is no direct evidence for this, but Nye's sample was biased toward the middle class and data in this study indicate that middle class people are somewhat more likely to use consistent discipline ($p < .01$).

While Peterson and Becker's resolution of the contradictory findings is plausible, it has not been accepted by most criminologists. Certain criminologists continue to state that physical punishment promotes delinquency, making no mention of the possible interaction between physical punishment and consistency of discipline (Gibbons, 1981; Welsh, 1978). Other criminologists state or imply that the relationship between physical punishment and delinquency is unclear (Thornton et al., 1981; Rodman and Grams, 1967). Still other criminologists make no mention of physical punishment in their discussions of parental discipline, sometimes implying that method of discipline is not an important variable (Jensen and Rojek, 1980; Cavan and Ferdinand, 1981; Griffin and Griffin, 1978). This unwillingness to accept Peterson and Becker's thesis is not surprising when we consider that McCord et al. (1959) is the only study to examine the interactive effects of physical punishment and consistency of discipline on delinquency. Their study was based on a sample from two economically depressed cities in New England, only 14 individuals in the study were physically punished in a consistent manner, and official measures of delinquency were used. The use of official measures may have exaggerated the deterrent effect of consistent physical punishment as the police may have been less likely to process individuals they thought would be beaten at home. Additional studies are clearly needed to determine if Peterson and Becker's thesis is correct.

The present study replicates the work of McCord et al. (1959) using data from a national sample of adolescent boys and self-report measures of delinquency. In particular, this study attempts to determine if physical punishment and consistency of discipline interact in their effect on delinquency, with the erratic use of physical punishment promoting delinquency and the consistent use inhibiting delinquency. Given the recent interest in child abuse and the debate over the use of physical punishment by parents and school officials (Welsh, 1978), such a replication is important in that it will more clearly specify the relationship between physical punishment and delinquency.

DATA AND METHODS

Data are from the Youth in Transition survey; a national survey of adolescent boys conducted by the Institute for Social Research, University of Michigan (Bachman et al., 1978). The survey took place in the fall of 1966, a time when respondents were beginning the 10th grade of high school. A multistage sampling procedure was used to select 2213 boys who, according to the researchers, constitute an "essentially unbiased representation of 10th grade boys in public high schools throughout the contiguous United States" (Bachman et al., 1978: 3).

MEASURES

Adolescents in the survey were asked about the consistency and method of their discipline. While one might question the validity of adolescent reports, data from Bandura and Walters (1959), Gold (1963), and McKenry et al. (1981) indicate that adolescent reports of discipline produce largely the same results as parental reports.

Physical punishment. The parental use of physical punishment was measured by asking adolescents how often their parents actually slapped them. Responses could range from 1 (never) to 5 (always), with the mean score being 1.97. Of the sample 39% said their parents never slapped, 32% said their parents "seldom" slapped, and 29% said that their parents slapped "sometimes," "often," or "always." Physical punishment may assume forms other than slapping but data indicate that slapping is the most common form of physical punishment among adolescents (Gelles, 1979: 87). Most other forms of physical punishment—such as kicking, hitting with an object, and beating up—are relatively uncommon in this age group.

Consistency of discipline. McCord et al. (1959) did not provide a precise definition of inconsistent or erratic discipline, but a careful reading of their work suggests that erratic discipline has two dimensions. First, erratic discipline refers to discipline that is intermittently applied. In particular, it refers to a situation where a deviant act is punished at one point and then ignored or only mildly punished at another point. It may be the case that one parent punishes the deviant act while the other does not, or a single parent may alternately punish and ignore the deviant act. This interpretation corresponds with McCord et al.'s (1959: 77) definition of the two types of erratic discipline most strongly related to delinquency: lax/punitive, and love-oriented/lax/punitive. This type of erratic discipline will be called *intermittent discipline.* It is measured by asking respondents how often their parents "disagree about punishing you." Responses range from 1 (never) to 5 (always), with a mean of 2.47. If parents disagree often, it seems likely that punishment will be intermittent. While one parent may be dominant and always win out in the disagreements, there are likely to be many disciplinary situations where only one parent is present. This measure does not, unfortunately, measure whether a single parent alternately punishes and ignores deviant acts. No measures of this type were available.

Second, erratic discipline refers to a situation where parents do not clearly indicate that certain behaviors are wrong and will elicit punishment (although perhaps intermittently) and that certain behaviors are proper and will not be punished for one parent may provide guidelines that are inconsistent with those of the other parent, or a single parent may provide inconsistent guidelines. This type of erratic discipline refers to what McCord et al. (1959: 79) call "inconsistent demands." It is distinct from the first type of erratic discipline in which parents may provide consistent standards of right and wrong yet only intermittently punish deviations from these standards. Parents, for example, may administer a number of warnings before inflicting punishment, or they may withhold punishment until the adolescent has committed a sufficient number of violations. This type of erratic discipline will be called *inconsistent demands* and it is measured by asking respondents how often their parents "disagree with one another when it comes to raising you." Responses range from 1 (never) to 5 (always), with a mean of 2.24. This measure does not deal with situations where a single parent makes inconsistent demands.

Distinguishing between the two dimensions of erraticism is important since there is reason to believe that only one dimension will interact with physical punishment. Evidence suggests that the intermittent use of punishment—particularly on the variable-ratio schedule that parents are likely to employ—is almost as effective in suppressing undesired behavior as the continuous use of punishment (Baldwin and Baldwin, 1981: 239-240). The intermittent use of punishment may also reduce from some of the unpleasant side-effects associated with punishment, such as the modeling of aggressive behavior and escape behavior. Therefore the intermittent use of physical punishment should be almost as effective in controlling delinquency as the continuous use, and we would not expect physical punishment to interact with "intermittent punishment" in its effect on deliquency. We would, however, expect an interaction between physical punishment and "inconsistent demands." When parents make inconsistent demands on their child, they create a situation where the child is not sure how to behave. The administration of physical punishment may therefore strike the child as unfair and breed the hostility/resentment that McCord et al. (1959) say is a factor in the production of delinquency. The distinction between the two forms of erratic discipline, then, builds on the work of McCord et al. and modifies the prediction of Peterson and Becker (1965) by stating that only one type of inconsistent discipline will interact with physical punishment.

Delinquency. Delinquency is measured by a self-report scale called "Seriousness of Delinquency." Respondents were asked how often they had committed a delinquent act from a list of 10 over the past three years, regardless of whether these acts had been detected by the police or resulted in adjudication. The 10 questions in the scale were adopted from Gold (1966) and deal with minor and serious theft, fighting, arson, and robbery (see Appendix A for a copy of the scale). Responses on each question could range from 10 (never committed the act) to 50 (committed the act 5 or more times). Scale scores range from 100 to 500, with a mean of 139. Variation in scores is due mainly to the minor theft (larceny under $50, shoplifting) and fighting items.

METHODS

First, block regression was used to estimate the main effects of the discipline measures on delinquency. In particular, delinquency was regressed on physical punishment and the two measures of inconsistent discipline: intermittent discipline and inconsistent demands. Next, two interaction terms were created by multiplying physical punishment by each of the measures of inconsistent discipline (see Kim and Kohout, 1975, and Allison, 1977, for a discussion of this method). These interaction terms were then added to the regression equation. This allows us to test for the interactions while controlling for the main effects. If our predictions are correct, the interaction involving physical punishment and "inconsistent demands" will be significant and of such a nature that physical punishment increases delinquency when demands are inconsistent and has no effect on or reduces delinquency when demands are consistent. The interaction involving physical punishment and "intermittent discipline" should not be significant as the intermittent use of physical punishment is assumed to be as effective in controlling delinquency as the continuous use of physical punishment.

RESULTS

Table 1 shows the main effects of the discipline measures on delinquency. Delinquency increases when parents make inconsistent demands on their children, use physical punishment, and punish intermittently. The standardized betas reveal that "inconsistent demands" has the largest effect on delinquency, with "intermittent punishment" having the smallest effect. This conforms to predictions and suggests that the intermittent use of punishment contributes only slightly more to delinquency than the continous use of punishment. These data also indicate the importance of distinguishing between the two dimensions of inconsistent discipline.

The positive effect of physical punishment on delinquency parallells the findings of many other studies. According to Peterson and Becker (1965), these positive relationships stem from the fact that most parents who use physical punishment do so in an erratic manner. The data from this study indicate that physical punishment is, in fact, positively correlated with "inconsistent demands" (r = 40) and "intermittent punishment" (r = .28). Peterson and Becker contend that if we distinguish between the erratic and consistent use of physical punishment,

TABLE 1
Delinquency Regressed on Physical Punishment and the Two Measures of Inconsistent Discipline

	B	Beta
Physical Punishment	3.53	.07*
Intermittent Discipline	2.99	.06**
Inconsistent Demands	5.95	.12*

*$p < .01$; **$p < .05$

we will find that the first promotes delinquency while the other does not. The interaction terms were added to the regression equation to test this idea.

The interaction term involving physical punishment and "inconsistent demands" was significant at the .05 level. Table 2 shows the effect of physical punishment on delinquency when "inconsistent demands" is at its lowest, mean, and highest levels. When parental demands are consistent (i.e., "inconsistent demands" is low), physical punishment has a slight negative effect on delinquency. The effect is not as strong as that found in McCord et al. (1959), but this may be due to the fact that McCord et al. employed official data. As indicated earlier, the deterrent effect of physical punishment may be exaggerated in official data. When "inconsistent demands" is at its mean level, physical punishment has a small positive effect on delinquency. Finally, physical punishment has a moderately large positive effect on delinquency when "inconsistent demands" is at its highest level. These findings support Peterson and Becker (1965). When parents provide very clear standards of conduct to their children, physical punishment has a slight deterrent effect on delinquency. When demands are inconsistent, however, physical punishment promotes delinquency. As McCord et al. (1959) state, the use of physical punishment in such circumstances may create much hostility and resentment.

TABLE 2
Unstandardized Effect of Physical Punishment on Delinquency when "Inconsistent Demands" Is at Its Lowest, Mean, and Highest Levels*

		Effect of Physical Punishment
Inconsistent Demands:	Low	-1.0
	Mean	1.42
	High	6.75

*For reasons discussed by Allison (1977), it is not possible to estimate the standardized effect of physical punishment.

The interaction term involving physical punishment and "intermittent discipline" was not significant at the .05 level. This indicates that the intermittent use of physical punishment is no more likely to promote delinquency than the steady use of such punishment. This finding conforms to earlier predictions and, once again, it indicates the importance of distinguishing between the two dimensions of inconsistent punishment. This distinction is not mentioned by Peterson and Becker and it is only implicitly referred to in McCord et al.

In order to ensure that the above results were not spurious, the regressions were run again with controls for socioeconomic status (SES), race, and fairness of discipline (the third major dimension of discipline along with method and consistency). The data indicate that SES has a slight negative correlation with physical punishment and the two measures of inconsistent discipline. SES is not significantly related to delinquency, a common finding with self-report measures. Race was not significantly related to delinquency or any of the discipline measures. Fairness has a slight negative correlation with delinquency ($r = -.13$, $p < .01$), and a moderate negative relationship with physical punishment ($r = -.25$, $p < .01$) and the two measures of inconsistency ($r = -.35$, $p < .01$ in each case). Controls for these variables did not have an appreciable effect on the above regression results.

CONCLUSION

The data are important for two reasons. First, the data suggest that there are two types of inconsistent discipline: "intermittent discipline" and "inconsistent demands." These two types were confounded in prior research, which is a serious problem as the data suggest that they are differentially related to delinquency. Second, the data indicate that the effect of physical punishment on delinquency interactions with "inconsistent demands." When parents make inconsistent demands on their children, the use of physical punishment promotes delinquency. When parents make consistent demands, however, physical punishment does not promote delinquency and may even reduce it. This supports the thesis of Peterson and Becker (1965) and the central hypothesis of this study. The reason that most prior studies found a positive relationship between physical punishment and delinquency is because they failed to control for the consistency of parental demands.

It is important to note that the above findings should not be interpreted as a recommendation for the use of physical punishment. First, physical punishment only reduces delinquency when parental demands are highly consistent. Few parents reach such a level of consistency. When demands are inconsistent, physical punishment promotes delinquency. Second, the deterrent effect of consistent physical punishment on delinquency is very slight. Finally, as Peterson and Becker point out, physical punishment may have certain adverse consequences for the adolescent. For example, physical punishment may lead to increased neuroticism in the child (Peterson and Becker, 1965: 85).

Future studies should examine (1) inconsistency on the part of one parent, (2) the effect of physical punishment and inconsistency on females, (3) additional variables that may interact with physical punishment (see Peterson and Becker, 1965), and (4) additional types of physical punishment. It is possible that more extreme forms of physical punishment, such as beatings, would have a greater deterrent effect on delinquency because they would inspire more fear in the child. More extreme forms of punishment, however, would also have a greater potential for psychological and physical harm. In any event, the data in this study suggest that physical punishment is an important variable although its relationship to delinquency is more complex than was previously believed.

APPENDIX A

SERIOUSNESS OF DELINQUENCY

(1) Taken something not belonging to you worth under $50.
(2) Set fire to someone else's property on purpose.
(3) Got something by telling a person something bad would happen to him if you did not get what you wanted.
(4) Hurt someone badly enough to need bandages or a doctor.
(5) Taken something from a store without paying for it.
(6) Taken a car that didn't belong to someone in your family without permission of the owner.
(7) Taken an expensive part of a car without permission of the owner.
(8) Taken something not belonging to you worth over $50.
(9) Taken an inexpensive part of a car without permission of the owner.
(10) Used a knife or gun or some other thing (like a club) to get something from a person.

REFERENCES

ALLISON, P. (1977) "Testing for interaction in multiple regression." Amer. J. of Sociology 83: 144-153.

BACHMAN, J. G., P. M. O'MALLEY, and J. JOHNSTON (1978) Adolescence to Adulthood. Ann Arbor: Institute for Social Research.

BANDURA, A., and R. WALTERS (1959) Adolescent Aggression. New York: Ronald.

CAVAN, R., and T. FERDINAND (1981) Juvenile Delinquency. New York: Harper & Row.

GELLES, R. (1979) Family Violence. Beverly Hills: Sage.

GRIFFIN, B., and C. GRIFFIN (1978) Juvenile Delinquency in Perspective. New York: Harper & Row.

GIBBONS, D. (1981) Delinquent Behavior. Englewood Cliffs, NJ: Prentice-Hall.

GLUECK, S., and E. GLUECK (1950) Unraveling Juvenile Delinquency. New York: Commonwealth Fund.

GOLD, M. (1966) "Undetected delinquent behavior." J. of Research in Crime and Delinquency 3: 27-46.

——(1963) Status Forces in Delinquent Boys. Ann Arbor: Institute for Social Research.

HIRSCHI, T. (1969) Causes of Delinquency. Berkeley: Univ. of California Press.

JENSEN, G., and D. ROJEK (1980) Delinquency: A Sociological View. Lexington: D.C. Heath.

KIM, J., and F. KOHOUT. (1975) "Special topics in general linear models" pp. 368-397 in N. Nie et al. (eds.) Statistical Package for the Social Sciences: SPSS. New York: McGraw-Hill.

McCORD, W., J. McCORD, and I. ZOLA (1959) Origins of Crime. New York Columbia Univ. Press.

McCORD, W., J. McCORD, and A. HOWARD (1961) "Familial correlates of aggression in nondelinquent male children." J. of Abnormal Social Psychology 62: 79-93.

McKENRY, P., S. PRICE-BONHAM, and S. O'BRYANT (1981) "Adolescent discipline: different family members' perception." J. of Youth and Adolescence 10: 327-337.

NYE, I. (1958) Family Relationships and Delinquent Behavior. New York: John Wiley.

PETERSON, D., and W. BECKER (1965) "Family interaction and delinquency" pp. 36-99 in H. Quay (ed.) Juvenile Delinquency. Theory and Research. Princeton: Van Nostrand.

RODMAN, H., and P. GRAMS (1967) "Delinquency and the family: a review and discussion" pp. 188-221 in President's Commission on Law Enforcement and Administration of Justice (ed.) Task Force Report: Juvenile Delinquency and Youth Crime. Washington, DC: U.S. Government Printing Office.

THORNTON, W., J. JAMES, and W. DOERNER (1982) Delinquency and Justice. Glenview, IL.: Scott, Foresman.

WELSH, R. (1978) "Delinquency, corporal punishment, and the schools." Crime and Delinquency 24: 336-354.

Robert Agnew is Assistant Professor in the Department of Sociology at Emory University. His major areas of interest are the relationship between social class and values, and the impact of victimization. His article on strain theories of delinquency is to be published in Sociology and Social Research, *and he has authored an article on the effect of appearance on personality and behavior which will appear in an upcoming issue of* Youth & Society.

[illegible] HV9088 C.S. A

TRENDS IN SERIOUS JUVENILE CRIME

S-83 15711

JOHN H. LAUB
Northeastern University

Throughout the past decade, serious juvenile crime has been the focus of considerable attention by legislators, law enforcement personnel, academic criminologists, media, and the public. Despite this attention, however, misunderstanding, misperception, and confusion still exist and, in some instances, seem to dominate both research and public policy. Utilizing National Crime Survey (NCS) victimization data as an alternative to official and self-report data, this analysis focuses on the patterns of juvenile offending in serious personal crimes from 1973 to 1980. The NCS data do not support the contention that serious juvenile crime has risen dramatically over the last 8 years. Moreover, the *types* of personal crimes committed by juveniles has not changed substantially over the 1973 to 1980 period. To the extent that recent legislation calling for more severe handling of juvenile offenders is based on substantial upswings in juvenile crime in recent years or changes in the types of crimes committed by juveniles, NCS data cannot provide support for such policy changes.

In the past decade, serious juvenile crime has been the focus of considerable attention by legislators, law enforcement personnel, academic criminologists, media, and the public. Despite this attention, however, misunderstanding, misperception, and confusion still exist and, in some instances, seem to dominate both research and public policy. In order to formulate sound public policy regarding serious juvenile crime, it is necessary to establish a body of systematic empirical research on the nature and extent of the problem over time. Moreover, this

---

Author's Note: *I would like to thank Richard Clark and David Clark for their assistance in preparing this article. Support for this article was provided by Grant 82-JN-AX-0005 awarded to the Michael J. Hindelang Criminal Justice*

CRIMINAL JUSTICE AND BEHAVIOR, Vol. 10 No. 4, December 1983 485-506
© 1983 American Association of Correctional Psychologists

research should be based on the best available and most timely data.

Recently, the Bureau of Justice Statistics, in cooperation with the Bureau of the Census, has produced a large body of information about serious crimes in the United States. These data are generated by surveying large probability samples of the general population in order to ascertain the nature and extent of criminal victimizations that may have been suffered by respondents. The availability of the National Crime Survey (NCS) data on personal victimization offers an important opportunity to examine a third source of data that avoids many of the problems and limitations inherent in official and self-report data.[1]

When survey respondents indicate that they have experienced a criminal victimization, they are asked a series of detailed questions relating to every aspect of the offense: exactly what happened, when and where the offense occurred, whether any injury or loss was suffered as a result of the offense, who was present during the offense, whether it was reported to the police, and what the victim perceived to be the offender's sex, race, and age group.[2]

On the basis of these offender data, it is possible to pose many important questions regarding the basic facts surrounding the offenses of various subgroups of offenders. For a variety of reasons (such as the potential biases in police data and the lack of serious crimes in typical self-report studies, and so on), victimization survey data are likely to provide more adequate answers to these questions than either self-report or arrest data. This is not to say, however, that victimization survey results as a source of data about offenders are without problems. There are four interrelated limitations regarding the use of NCS data in connection with studying offender characteristics. First, because the source of the data is the victim's report, only a small number of visible offender

---

Research Center in Albany, New York by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Assistance, Research and Statistics, U.S. Department of Justice. Points of view or opinions expressed in this article are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

characteristics are available—sex, race, age group, number of offenders, and relationship (if any) to the victim. Second, little systematic work has been done to date on the accuracy of the victim's reports of these offender variables (but see Buckhout, 1974, and Loftus, 1981). Third, because these data depend on reports of victims, the data include only offenses in which the victim sees the offender: rape, robbery, assault, and personal larceny with contact between the victim and offender. Fourth, questions related to incidence versus prevalence cannot be resolved with these data. For example, the question of whether the disproportionate number of males among offenders is due to a small proportion of males repeatedly offending or due to a large proportion of males rarely offending cannot be resolved with these data. Even within these limitations, however, the NCS data hold potential that is not found in self-report or official data (McDermott & Hindelang, 1981).

There is growing national concern regarding perceived changes in serious juvenile crime over the last decade. The overriding perception among many is that juvenile crime has sharply increased: juveniles are committing more serious violent crimes, like robberies and rapes; younger age groups are becoming involved in serious crimes; more females are becoming involved in serious crimes; and juveniles are using weapons more often in committing their offenses and are thus increasing the likelihood of injury to their victims. These notions are often reflected in the popular media.[3] Moreover, important policy is being introduced on the basis of these notions. Legislative action in the form of potentially harsher penalties for juveniles who commit serious crimes continues in virtually every state legislature in the United States (see Smith, Alexander, Kemp, & Lemert, 1980b, for more details regarding legislative trends).

The issues stated above are empirical questions and it is of critical importance to examine this phenomenon with the most comprehensive and timely data available. National Crime Survey data will be utilized in this article to assess the extent to which patterns of offending in personal crimes by juvenile offenders have changed over the 1973 to 1980 period. For example, have changes in the rate of offending occurred in the United States or are changes evident only in select urban areas, as some researchers have suggested (see "Preliminary Analysis," 1981-1982, and Shannon, 1982)? Have the types of crime committed by juveniles changed? For instance, is the proportion of theft offenses due to robbery (in contrast to personal larceny) changing over time?

Throughout this article three age groups of offenders will be examined. The first major group, *juvenile* offenders, are those offenders perceived by their victims to be under 18 years of age.[4] In order to provide finer age breakdowns, three subgroups of juvenile offenders will be differentiated: those under 12, those 12 to 14, and those 15 to 17 years old. The second major group, *youthful* offenders, are those offenders perceived by their victims to be 18 to 20 years old. The third major group, *adult* offenders, are those perceived by their victims to be 21 years of age or older. The use of these three major age groupings of offenders will permit analyses of age-related differences in offending. Before turning to the findings, however, it is necessary to give some attention to the data to be used in this analysis.

DESCRIPTION OF THE DATA

The data presented in this article are from the NCS national sample, collected by the United States Bureau of the Census, in cooperation with the Bureau of Justice Statistics. In the national survey, probability samples of housing units were selected on the basis of a stratified, multistage, cluster design. The data used in this article cover the period from 1973 to 1980.[5]

The total annual sample size for the national surveys is about 60,000 households containing about 136,000 individuals. The total interviewed sample is composed of six independently selected subsamples of about 10,000 households with 22,000 individuals. Each subsample is interviewed in successive months about victimizations suffered in the preceding 6 months; each subsample is interviewed twice per year. For example, in January 22,000 individuals (in 10,000 households) are interviewed. In the following month—and in each of the next 4 succeeding months—an independent probability sample of the same size is interviewed. In July, the housing units originally interviewed in January are revisited and interviews are repeated; likewise, the original February sample units are revisited in August, the March units in September, and so forth. Each time they are interviewed in the national survey, respondents are asked about victimizations that they may have suffered during the 6 months preceding the month of interview.

Thus, the national survey is conducted using a panel design; the panel consists of *addresses*. Interviewers return to the same housing units every 6 months. If the family contacted during the last interview cycle has moved, the new occupants are interviewed. If the unit no longer exists or is condemned, it is dropped from the sample, but new units are added to the sample periodically. For household units, this is accomplished by a continuing sample of new construction permits. No attempt is made to trace families that have moved.[6] Housing units in the panel are visited a maximum of seven times, after which they are rotated out of the panel and replaced by a new, independent probability sample; maximum time in the sample for any housing unit, then, is 3 years.

This article will be concerned with the personal crimes of rape, robbery, assault, and personal larceny (pocket picking and purse snatching). Although the survey also collects data on the household crimes of burglary, larceny from the household, and motor vehicle theft, as well as on the commercial crimes of burglary and robbery for selected years, these crimes will not be included here.[7] As indicated above, the analysis requires reports from victims regarding what transpired during the event—particularly regarding characteristics such as the perceived age of the offender—and hence only those crimes generally involving contact between victims and offenders will yield this information. The details about what happened during the event are gathered by means of personal interviews with the victims themselves.[8]

Since its inception, the NCS has utilized personal visit interviewing and has allowed telephone interviews only for callbacks. In February, 1980, a major change was initiated in the NCS interviewing procedure that entailed an increased amount of telephone interviewing. Now households who are in the sample for the second, fourth, and sixth time are interviewed primarily by telephone (see Walsh, 1981; Paez & Dodge, 1982). The effects of this change in data collection procedure on the 1980 data are not totally known at this time and caution must be exercised when comparing the 1980 data with results from previous years. Preliminary analysis reveals that telephone interviews are less productive in eliciting reports of victimizations compared with the standard NCS face-to-face interviews, particularly for the crimes of personal larceny without contact and assault (see Woltman & Bushery, 1977; Walsh, 1981, Paez & Dodge, 1982).

Depending on whether one or more than one offender is reported by the victim to have been involved in the incident, victims are asked one of two series of questions relating to offender characteristics.[9] If a lone offender victimized the respondent, that offender's characteristics are simply recorded. If more than one offender was involved, it is, of course, possible to have offenders of different ages, sexes, and races. In general, the tables and figures shown in this article in which both lone and multiple-offender incidents are included, use the age of the *oldest* of the multiple offenders. Preliminary analysis shows that more often than not, multiple offenders fall into the same age group; for this reason, whether the youngest or the oldest of the multiple offenders is used has little impact on the results (see Laub, 1982, for more details).

PATTERNS OF OFFENDING

One of the most general questions to be asked is whether the *number* of personal victimizations committed by juveniles has increased substantially in the 1973 to 1980 period. Or, one could ask whether the *rate* of personal victimizations committed by juveniles increased from 1973 to 1980. A related but distinct question is, among all personal crimes occuring has the *proportion* of offenses attributable to juveniles increased markedly?

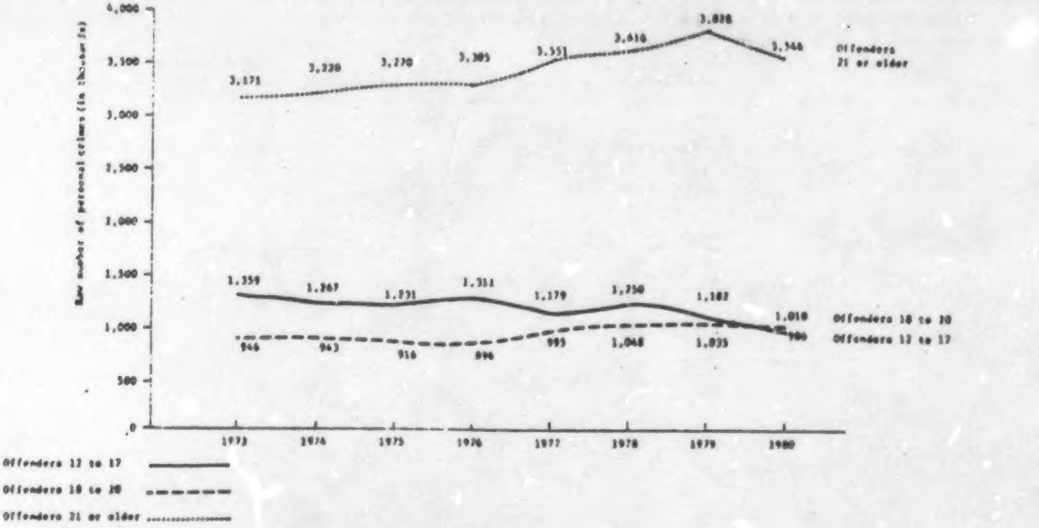
Figure 1 shows that for the 1973-1980 period, the trend lines representing the total raw number of estimated personal victimizations (rapes, robberies, assaults, and personal larcenies) attributable to each age agroup are relatively flat. The data reveal a gradual increase in the total raw number of personal crimes attributable to adult offenders from 1973 to 1979 (about 21%, then a slight decline appears from 1979 to 1980 (about 7%). It is important to note, however, that changes in the data collection procedure may have affected the 1980 estimates. Thus, although from 1973 to 1980, the raw number of personal crimes attributed to adult offenders increased by 12%, the 1973 to 1979 data reveal an increase of 21%.

A smaller increase appears in the total raw number of personal crimes attributable to youthful offenders (about 7% for the 1973 to 1980 period and 9% for the 1973 to 1979 period). Nevertheless, in contrast to the other age groups, there was a decrease of about 27% in the total raw number of personal crimes attributable to juvenile offenders from 1973 to 1980. Although revealing a less dramatic decline, the data from 1973 to 1979 show a 13% decrease in personal crimes committed by juveniles.

However, because the number of potential offenders in each of the age groups shown has not remained constant over the 8-year period and juveniles in particular are the only age group to show a steady decline over the period in question, data on age-specific *rates* of offending provide a more meaningful portrait of the phenomenon in question. In addition, due to the fact that there are, for example, far more adults than persons aged 18 to 20 and 12 to 17 in the population, it is important to recast the data in Figure 1 into age-specific *rates* of offending.

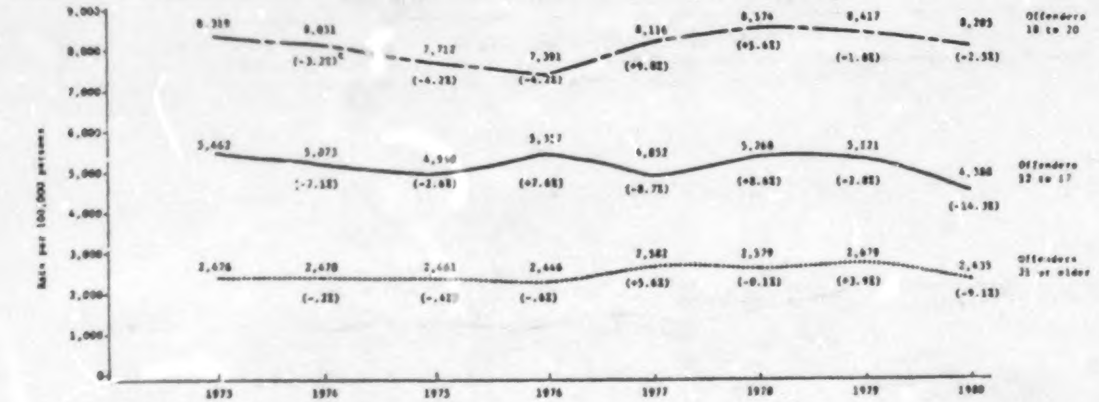
In Figure 2, the data presented in Figure 1 have been converted to rates of offending per 100,000 of the general population in each age group, by dividing the raw number of estimated victimizations attributed to a given age group by the number of persons in the general population who fall within that age group, times 100,000.[10]

The data in Figure 2 show that in the 1973 to 1980 period, the age-specific *rate* of offending for adults and youthful offenders evidences a slight decline (1.6% and 1.4%, respectively). However,



a. Includes perceived age of lone and perceived age of oldest multiple offender.
b. Excludes incidents (about 6% of the total) in which the victim did not know whether there was one or more than one offender. Also excluded are victimizations (about 1% of the total) committed by offenders perceived to be under 12 years of age.

Figure 1: Total Estimated Raw Number of Personal Crimes, by Year and Age of Offender[a], NCS National Data, 1973 to 1980[b]



Population Base:

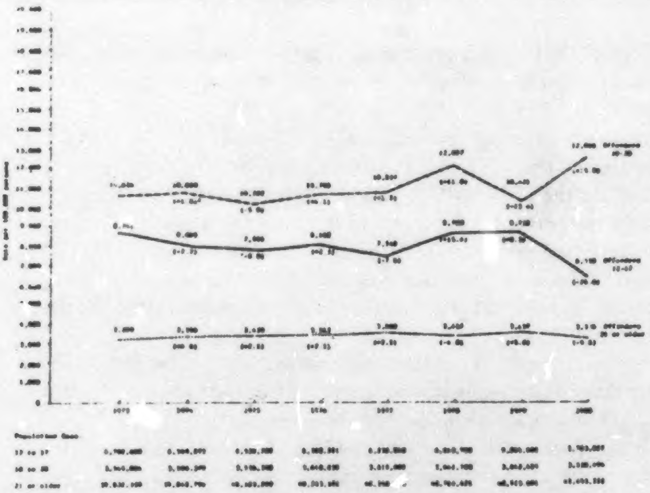
	1973	1974	1975	1976	1977	1978	1979	1980
12 to 17	24,881,521	24,962,923	24,910,271	24,661,308	24,291,303	2[illegible],737,816	23,077,561	22,467,192
18 to 20	11,359,313	11,712,785	11,879,746	12,119,575	12,264,007	12,225,692	[illegible],211	12,3[illegible]1,796
21 or older	128,079,370	130,371,553	132,868,712	135,107,961	137,307,165	140,217,[illegible]	[illegible] 393	145,627,391

a. Includes perceived age of lone and perceived age of oldest multiple offender.
b. Excludes incidents (about 6% of the total) in which the victim did not know whether there was one or more than one offender. Also excluded are victimizations (about 1% of the total) committed by offenders perceived to be under 12 years of age.
c. Percentage change from previous year.

Figure 2: Estimated Rates of Offending in Total Personal Crimes (per 100,000 Persons in Each Population Subgroup), by Year and Age of Offender[a], NCS National Data, 1973 to 1980[b]

as noted above, the estimates for 1980 may have been affected by changes in the data collection procedure. Thus, it is important to contrast 1973 to 1980 changes with changes appearing during 1973 to 1979. In this case, the age-specific rate of offending for adults and youthful offenders reveal a slight increase (8% and 1%, respectively) for the 1973 to 1979 period. In contrast, the comparable rate for juveniles aged 12 to 17 shows a sharp decrease for the 1973 to 1980 period (about 20%) and a slight decline for the 1973 to 1979 period (about 6%). For all three age groups, the percentage changes in the rates from year to year are also presented in Figure 2. Although the 1980 estimates must be viewed cautiously, one can conclude that the rate of juvenile offending in personal crimes did not increase substantially for the period in question.

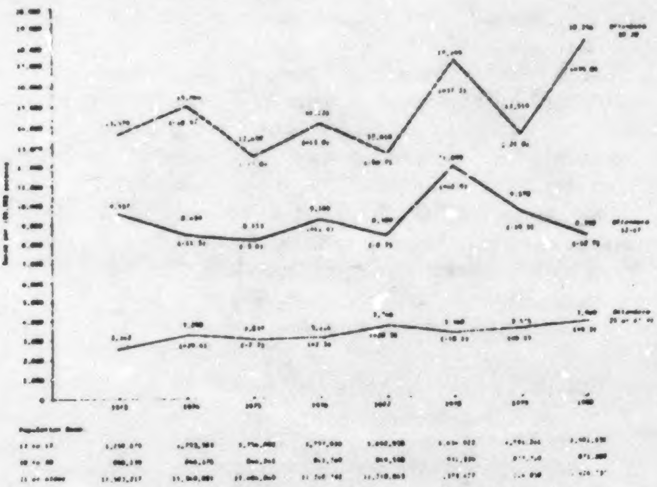
Overall, then, the rate of juvenile offending in personal crimes in the United States, as shown in these data, is down, not up. But we also know that serious juvenile crime tends to be concentrated in urban areas (see Zimring, 1977, p. 18). One can ask then whether the above pattern is maintained when the data are disaggregated by extent of urbanization and/or size of place? In other words, perhaps the perceived increases in the rate of juvenile offending are evident only in urban areas or in places where a large number of persons reside. The data in Figure 3 display rates of offending in personal crimes in urban areas (defined here as the central cities of SMSAs) by age of offender and year.[11] The rates of offending for youthful offenders and adults increased over the 1973 to 1980 period by 14% and 3%, respectively. At the same time, however, for the 1973 to 1979 period, the rate of youthful offending shows a decline of 2% and rate of adult offending evidences a 14% increase. Again, it is important to note that the 1980 estimates should be viewed cautiously. This is particularly true when examining the rate of juvenile offending in urban areas, which reveals a substantial decline (about 25% from 1973) to 1980 and virtually no change from 1973 to 1979. Notwithstanding, one can conclude that the rate of juvenile offending in urban areas for personal crimes did not increase substantially for the period in question.



a. Includes perceived age of lone and perceived age of oldest multiple offender.
b. Excludes incidents (about 8% of the total) in which the victim did not know whether there was one or more than one offender. Also excluded are victimizations (about 1% of the total) committed by offenders perceived to be under 12 years of age.
c. Percentage change from previous year.

Figure 3: Estimated Rates of Offending in Total Personal Crimes (per 100,000 Persons in Each Population Subgroup), in Urban Areas by Year and Age of Offender[a], NCS National Data, 1973 to 1980[b]

In a similar fashion, Figure 4 presents rates of offending in personal crimes in places with 1,000,000 or more inhabitants by age of offender and year. These data reveal a great deal more fluctuation compared with the data appearing in the previous figures. Therefore, it is difficult to discuss any concrete patterns in the data. Overall, the rate of juvenile offending does not show any pattern of dramatic increases (with the possible exception of the 1978 data). The rate of adult offending seems to reveal a slightly increasing trend for the period in question. In contrast, the rate for youthful offenders shows a decrease for the 1973 to 1977 period, but an increase from 1977 to 1980 and 1978-1980.



a. Includes perceived age of lone and perceived age of oldest multiple offender.
b. Excludes incidents (about 6% of the total) in which the victim did not know whether there was one or more than one offender. Also excluded are victimizations (about 1% of the total) committed by offenders perceived to be under 12 years of age.
c. Percentage change from previous year.

Figure 4: **Estimated Rates of Offending in Total Personal Crimes (per 100,000 Persons in Each Population Subgroup), in Places with 1,000,000 or More Persons, by Year and Age of Offender[a], NCS National Data, 1973 to 1980[b]**

Thus, overall, the rate of juvenile offending in personal crimes in the United States, in urban areas and in places with 1,000,000 or more inhabitants, shows a steady or declining pattern over the 1973 to 1980 period. At the same time, the rate of offending in personal crimes for youthful offenders and adults in the United States, in urban areas, and in places with 1,000,000 or more inhabitants, reveals a steady or increasing pattern over the 1973 to 1980 period. In addition, the data show that each year the *rate* of offending for the 18 to 20 year old group is substantially higher than that for the 12 to 17 year old group, whose rate in turn is higher than that for adults.

As is evident from Figure 1, the aggregate raw number of rape, robbery, assault, and personal larceny victimizations attributable to adult offenders every year was more than that for offenders *in the other age groups combined. Juvenile offenders* accounted for almost one-quarter of the raw number of total personal victimizations for 1973 to 1980; youthful offenders accounted for one-sixth and adult offenders three-fifths of these incidents. The data in Table 1 are disaggregated by type of crime and year as well as displaying a detailed age of offender breakdown. For the most part, the proportion of incidents of each crime type (rape, robbery, assault, and personal larceny) accounted for by the respective age groups is similar across years. Therefore, there appears to be little support for the notion that the proportion of robberies, aggravated assaults, and rapes committed by juveniles is increasing in the period from 1973 to 1980.

There are some important age variations across crime types that ought to be noted. For instance, the age distribution for personal larceny shows substantial involvement of the younger age groups, but the distribution for rape is skewed toward the oldest age group and this has remained the case for the 8-year trend period. More specifically, in the 1973 to 1980 period (aggregate data not shown) juvenile offenders accounted for 29% of all personal larcenies compared with 9% of all rapes, whereas adults account for 40% of the former and 75% of the latter. It is also interesting to note that the proportion of personal crimes attributable to offenders less than 12 years of age remained stable over the period in question. Thus, these data seem to cast doubt on the supposition that the proportion of serious personal crimes attributable to younger juveniles has increased over the last 8 years.

In summary, with respect to aspects of the data presented to this point, they suggest generally steady or declining patterns in the rate of juvenile offending in personal crimes by year for the United States as a whole, as well as in urban areas and places with a 1,000,000 or more residents. Moreover, there appears to be little change in the types of personal crimes juveniles become

TABLE 1

Percentage Distribution of Detailed Age of Offender[a], by Type of Crime and Year, NCS National Data, 1973 to 1980[b]

Year and type of crime	Detailed age of offender						(Total of number of victimizations)
	Under 12	12 to 14	15 to 17	18 to 20	21 or older	Don't know	
1973:							
Rape	1	2	10	11	73	4	100% (166,644)
Robbery	0	6	20	30	38	8	100 (1,115,294)
Aggravated assault	1	5	16	20	60	6	100 (1,046,174)
Simple assault	1	9	18	16	56	2	100 (2,316,418)
Personal larceny	4	10	18	21	46	12	100 (297,493)
Total	1	7	16	16	55	4	100 (5,730,271)
1974:							
Rape	0	1	6	13	77	[illegible]	100 (167,898)
Robbery	1	7	18	19	58	6	100 (1,174,078)
Aggravated assault	1	3	13	15	64	3	100 (1,063,944)
Simple assault	1	8	17	16	55	2	100 (2,392,931)
Personal larceny	1	9	21	17	40	11	100 (374,934)
Total	1	7	16	17	57	4	100 (5,092,804)
1975:							
Rape	0	0	6	10	77	6	100 (190,633)
Robbery	1	6	16	[illegible]	58	7	100 (1,111,229)
Aggravated assault	1	5	18	16	64	6	100 (1,56[illegible],278)
Simple assault	1	9	16	15	57	2	100 (2,[illegible]1,498)
Personal larceny	2	11	24	14	37	11	100 (376,678)
Total	1	7	16	16	57	4	100 (5,713,008)
1976:							
Rape	0	3	6	12	80	1	100 (161,003)
Robbery	0	6	18	18	53	3	100 (1,086,161)
Aggravated assault	0	5	13	15	63	3	100 (1,610,091)
Simple assault	1	8	17	15	57	2	100 (2,611,850)
Personal larceny	1	7	19	21	40	13	100 (299,308)
Total	1	7	16	16	58	4	100 (5,945,306)
1977:							
Rape	0	1	8	13	76	3	100 (153,064)
Robbery	1	6	15	18	56	6	100 (1,018,999)
Aggravated assault	1	5	17	15	66	6	100 (1,034,731)
Simple assault	1	6	16	17	58	2	100 (2,857,037)
Personal larceny	1	7	17	18	41	16	100 (252,237)
Total	1	6	16	16	58	4	100 (6,016,086)
1978:							
Rape	0	4	8	8	72	8	100% (166,467)
Robbery	1	5	16	19	53	6	100 (1,027,706)
Aggravated assault	1	4	13	17	64	3	100 (1,049,193)
Simple assault	0	9	14	18	60	3	100 (3,090,407)

TABLE 1 Continued

Year and type of crime	Perceived age of offender[a]						
	Under 12	12 to 14	15 to 17	18 to 20	21 or older	Don't know	(Estimated number of victimizations)[b]
Personal larceny	2	8	19	16	43	13	100 (540,441)
Total	1	7	14	17	58	3	100 (6,349,478)
1979:							
Rape	0	4	8	11	76	1	100 (187,278)
Robbery	0	6	17	21	53	3	100 (1,108,199)
Aggravated assault	1	4	11	16	66	3	100 (1,706,206)
Simple assault	1	6	14	16	61	3	100 (3,036,031)
Personal larceny	3	6	21	16	41	13	100 (299,112)
Total	1	3	14	16	60	4	100 (6,331,707)
1980							
Rape	0	3	4	9	81	3	100 (137,632)
Robbery	0	3	13	[illegible]	57	3	100 (1,137,172)
Aggravated assault	1	3	11	17	65	3	100 (1,319,332)
Simple assault	1	6	13	16	62	3	100 (3,220,228)
Personal larceny	0	0	22	18	43	17	100 (290,907)
Total	1	1	13	17	61	6	100 (5,839,271)

a. Includes perceived age of lone and perceived age of oldest multiple offender.
b. Excludes incidents (about 6% of the total) in which the victim did not know whether there was one or more than one offender.

involved in. Specifically, these data indicate that the vast majority of rapes reported to NCS interviewers are committed by adults, whereas the majority of personal larcenies reported to survey interviewers are committed by juvenile and youthful offenders. Thus, to the extent that recent legislative and policy changes are premised on the assumption that juvenile involvement in personal crimes has increased substantially, or on the assumption that juveniles constitute an increasing proportion of those committing personal offenses, particularly violent offenses, the data presented to this point simply do not support such changes.

The question arises as to what extent are the trends in the NCS victimization data on serious juvenile crime in agreement with data generated from self-report studies or official sources of data. Our research comparisons focus primarily on self-report results from the National Youth Survey and research using official data from the National Juvenile Justice Assessment Center and the

National Center for Juvenile Justice. It is important to note that preliminary comparisons from the national survey of self-reported delinquency show that "the level of delinquent behavior has remained about the same over the past decade (1967-1977). This finding contradicts the popular misconception that juvenile delinquency has been increasing over this period." (Office of Juvenile Justice and Delinquency Prevention, 1980, p. 13). Furthermore, in regard to more recent self-report data from 1976 to 1978, Knowles, & Canter (1981) state that "in general, the longitudinal trends for any of these age cohorts on these offenses could not be characterized as smooth monotonic increases or decreases" and "examination of these trends across different cohorts did not reveal simple linear or curvilinear functions" (1981, p. 321).

In addition, preliminary analysis using official data indicate a similar trend. According to analyses of UCR data,

> These [official] data help put serious-violent juvenile crime into the proper perspective. Contrary to current popular misconception in the U.S.: violent youth crimes constitute a very small proportion of all criminality; such crimes do not appear to be increasing significantly . . . (Office of Juvenile Justice and Delinquency Prevention, 1980, p. 35).

Moreover, Smith, Alexander, Halatyn, & Roberts (1980a) write of their extensive analysis of UCR data,

> the second topical question, i.e., "Is serious crime among juveniles increasing?", [should] be answered with a cautious "no." To the extent possible, UCR arrest rate information suggests a decrease in juvenile arrest rates for both the violent and property indexes [for the recent period, 1974-1975 to the present] (1980a, p. 110).

Interestingly, juvenile court statistics also reveal that the estimated number of cases handled by juvenile courts has decreased each year from 1975 to 1979 (Snyder, Finnegan, Smith, Feinberg, Hutzler, & McFall, 1982, p. 2). Therefore, three diverse national sources of data—NCS victimization, self-report, and official (arrest and court) data—seem to be in agreement that serious juvenile crime over the last decade has remained stable or has, in fact, declined; this is quite contrary to numerous reports of substantial increases during this period.[12]

CONCLUSION

Over the last decade, serious criminal behavior by juveniles has been portrayed by the media as increasingly common, particularly in urban areas, and possessing a malicious, violent character. For example, *Time* magazine writes,

> people have always accused kids of getting away with murder. Now that is all too literally true. Across the U.S. a pattern of crime has emerged that is both perplexing and appalling. Many youngsters appear to be robbing and raping, maiming and murdering as casually as they go to a movie or join a pickup baseball game. A new, remorseless, mutant juvenile seems to have been born, and there is no more terrifying figure in America today ("Youth Crime Plague," 1977, p. 18).

Furthermore, law enforcement officials have expressed similar views; for instance, Deputy Police Commissioner of New York City, Kenneth Conboy, recently stated that the crimes for which these youngsters are being arrested are "more ruthless and remorseless and criminally sophisticated than ever before" (Bierman, 1982, p. 2).

The past decade has also been characterized by a growing public concern with crime (see Flanagan, van Alstyne, & Gottfredson, 1982; pp. 178-182), along with legislative action, some of which has resulted in potentially more severe penalties for juveniles who commit serious crimes (see Smith et al., 1980b, for more details regarding legislative trends). Because of this groundswell of concern and controversy regarding juvenile crime, it has become imperative to investigate empirically the nature and extent of this phenomenon with the best and most timely data available. The National Crime Survey data analyzed in this report shed important light on the trends and patterns of juvenile, youthful offender, and adult crimes from 1973 to 1980. In many ways, this investigation fails to support empirically the popular presentations of the media and the public, and, perhaps more importantly, seems to contradict current legislative policies and trends.

* The NCS data do not support the contention that, for the personal crimes of rape, robbery, assault, and personal larceny, juvenile crime has risen dramatically over the last 8 years. ~~Our~~⑥ data show that the rate of juvenile offending in personal crimes in the United States as a whole, in urban areas, and in places with 1,000,000 or more inhabitants, has remained stable, or has declined, over the 1973 to 1980 period.* To be sure, juvenile involvement in the personal crimes of rape, robbery, assault, and larceny is substantial. However, the NCS data are not consistent with the growing national alarm regarding serious juvenile crime.

Yet, numerous state legislatures have passed or are contemplating passage of legislation that would in effect dramatically change juvenile justice systems as they are presently constituted. Some of these changes include lowering the maximum jurisdictional age of the juvenile court, legislative exclusion of certain offenses from the juvenile court jurisdiction, making waiver to adult court less restrictive, and redesigning sentencing schemes in juvenile court to allow for the possibility of longer sentences for juvenile offenders (see Smith et al., 1980b).

At the foundation of these critical policy changes is the belief that serious juvenile crime has become rampant and is ever increasing, and that juvenile justice systems are no longer in control of their clientele (see Schuster, 1982). It is hoped that empirical data on serious juvenile crime, rather than perceptions and media accounts, inform public policies regarding juvenile offenders. This being the case, in sharp contrast to the widespread sweeping changes now being considered for handling serious juvenile offenders, the NCS data for the 1973 to 1980 period suggest a more cautious and moderate approach (see Schuster, 1982, for additional support for this position).

Moreover, in the future, every effort should be made to subject the assumptions of critical and fundamental statutory changes in juvenile justice to the empirical tests that are possible with data sets such as the National Crime Survey. For example, researchers should continue to document trends in serious juvenile crime both at the national level and for selected cities in the United States. These kinds of analyses are essential for the formulation of rational public policy regarding serious juvenile crime.

NOTES

1. For a complete discussion of the problems of official and self-report data, see Hindelang, Hirschi, and Weis (1981).

2. For more information on the NCS data, see Laub (1982).

3. See, for example, "Youth Crime Plague," (1977, pp. 18-30); Basler (1981, p. 67); Castillo (1981, pp. A-1, B-4). For more discussion on these general issues, see Zimring (1981, 1979).

4. In order to present more accurate offending rate data in Figure 2, it was desirable to restrict the age range of juvenile offenders to 12- and 17-year-old offenders. Because Figure 2 was designed to parallel Figure 1, the juvenile offender data there too were restricted to 12- to 17-year-old offenders. Incidents in which the offender was perceived by the victim to be under 12 years of age account for about 1% of the total number of victimizations.

5. See Garofalo and Hindelang (1977) and U.S. Bureau of the Census (n.d.) for additional detail about design and collection. The data reported in this article represent estimates of crimes occurring in the United States, based on weighted sample data. It is possible to make these estimates because a probability sample of respondents were surveyed. The interview completion rate in the national sample is about 95% or more of those selected to be interviewed in any given period.

6. This procedure may not completely ignore mobile families. Although no attempt is made to trace families that move away from an address in the sample, a similarly mobile family may move into that address and will be included in the survey. For more discussion on this important point, see Fienberg (1980) and Lehnen and Reiss (1978).

7. Series crimes are also excluded from the analysis. For a full discussion of series crimes see Garofalo and Hindelang (1977) and Paez and Dodge (1982).

8. On the basis of the details of precisely what transpired—whether force or threat of force was used by the offender, whether some theft was attempted or completed, whether serious injury was sustained, and so on—crimes are classified according to definitions used in the *Uniform Crime Reports* (Webster, 1978). In a small proportion of cases (victims 12 and 13 years of age and victims who for some physical or mental reason are unable to respond for themselves), interviews are completed by proxy with another household member.

9. In January of 1979, the Bureau of the Census began using a revised questionnaire in the household survey. In order to insure comparability across years, changes were made such that responses from the new questionnaire could be reformatted to coincide with the old survey questionnaire. Thus, our data are based on the format of the old survey questionnaire.

10. Population estimates for the denominators of the rates shown in Figure 2 are derived from the National Crime Survey itself. Because respondents under 12 years of age are not interviewed in the survey, their estimated number in the general population cannot be obtained from the survey and hence the youngest age group is from 12 to 17 years of age, rather than under 18 as in subsequent tables. Offenses attributable to the offenders perceived to be under 12 years of age (about 1% of the total) have been excluded from the numerators of the rates for 12- to 17-year-olds.

11. See Laub (1980) for a complete discussion of the definition of urban areas and problems therein. For more information on urban-rural patterns of victimization, see Laub and Hindelang (1981).

12. For more discussion and support for the "leveling off" of the juvenile offending rates, see Duxbury (1980), Zimring (1979), and Snyder and Hutzler (1981). For an analysis of crime trends from the 1960s to the early 1970s, see Skogan (1979).

REFERENCES

Basler, B. Children bearing guns: A growing peril in the city. *New York Times*, September 27, 1981, p. 67.

Bierman, J. Reading, writing and good citizenship in N.Y.C. *Boston Globe*, May, 19, 1978, p. 2.

Buckhout, R. Eyewitness testimony. *Scientific American*, 1974, 231, 23-31.

Castillo, A. Juvenile offenders in court: The debate over treatment. *New York Times*, July 24, 1981, pp. A-1, B-4.

Duxbury, E. B. Violence by youth: Violence against youth. *American Behavioral Scientist*, 1980, 23, 667-680.

Elliott, D. S., Knowles, B. A., & Canter, R. J. *The epidemiology of delinquent behavior and drug use among American adolescents, 1976-1978*. A Report of the National Youth Survey (Project Report No. 14). Boulder, CO: Behavioral Research Institute.

Fienberg, S. E. The measurement of crime victimization: Prospects for panel analysis of a panel survey. *The Statistician*, 1980, 29, 313-350.

Flanagan, T. J., van Alstyne, D. J., & Gottfredson, M. R. (Eds.), *Sourcebook of Criminal Justice Statistics*. Washington, DC: U.S. Government Printing Office, 1982.

Garofalo, J. & Hindelang, M. J. *An introduction to the National Crime Survey*. (Analytic Report SD-VAD-4.) National Criminal Justice Information and Statistics Service, Law Enforcement Assistance Administration, U.S. Department of Justice. Washington, DC: U.S. Government Printing Office, 1977.

Hindelang, M. J., & McDermott, M. J. *Juvenile criminal behavior: An analysis of rates and victim characteristics*. Office of Juvenile Justice and Delinquency Prevention. Washington, DC: U.S. Government Printing Office, 1981.

Hindelang, M. J., Hirschi, T., & Weis, J. G. *Measuring delinquency*. Beverly Hills, CA: Sage, 1981.

Laub, J. H. *Criminal behavior and the urban-rural dimension*. Unpublished doctoral dissertation, State University of New York at Albany, 1980.

Laub, J. H. *Trends in juvenile criminal behavior in the United States: 1973-1980*. Albany, NY: The Michael J. Hindelang Criminal Justice Research Center.

Laub, J. H., & Hindelang, M. J. *Juvenile crime behavior in urban, suburban, and rural areas.* Office of Juvenile Justice and Delinquency Prevention. Washington, DC: U.S. Government Printing Office.

Lehnen, R. G., & Reiss, A. J. Response effects in the National Crime Survey. *Victimology,* 1978, 3, 110-124.

Loftus, E. F. Eyewitness testimony: Psychological research and legal thought. In N. Morris & M. Toory (Eds.), *Crime and justice: An annual review of research* (Vol. 3). Chicago: University of Chicago Press, 105-151.

McDermott, M. J., & Hindelang, M. J. *Juvenile criminal behavior in the United States: Its trends and patterns.* Office of Juvenile Justice and Delinquency Prevention. Washington, DC: U.S. Government Printing Office, 1981.

Morgan, T. They think "I can kill because I'm 14." *New York Times Magazine,* 1975, January 19, 9-34.

Office of Juvenile Justice and Delinquency Prevention. *Juvenile justice: Before and after the onset of delinquency.* United States discussion paper for the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Washington, DC: U.S. Government Printing Office, 1980.

Paez, A. L., & Hodge, R. W. *Criminal victimization in the U.S., 1979-80 Changes, 1973-80 Trends.* U.S. Department of Justice, Bureau of Justice Statistics. Washington, DC: U.S. Government Office.

Schuster, R. L. Violent juveniles and proposed changes in juvenile justice: A case of overkill. *Juvenile and Family Court Journal,* 1982, 33, 37-42.

Shannon, L. W. *Assessing the relationship of adult criminal careers to juvenile careers: A summary.* Washington, DC: U.S. Government Printing Office.

Skogan, W. G. Crime in contemporary America. In H. Graham & T. Gurr (Eds.), *Violence in America.* Beverly Hills, CA: Sage, 1979, 375-391.

Smith, C. P., Alexander, P. S., Halatyn, T. V., & Roberts, C. F. *A national assessment of serious juvenile crime and the juvenile justice system: The need for a rational response* (Vol. 2). Washington, DC: U.S. Government Printing Office; 1980, (a)

Smith, C. P., Alexander, P. S., Kemp, G. L., & Lemert, E. L. *A national assessment of serious juvenile crime and the juvenile justice system: The need for a rational response* (Vol. 3). Washington, DC: U.S. Goverment Printing Office; 1980, (b)

Snyder, H. N., & Hutzler, J. L. *The serious juvenile offender: The scope of the problem and the response of juvenile courts.* Pittsburgh, PA: National Center for Juvenile Justice.

Snyder, H., Finnegan, T., Smith, D., Feinberg, N., Hutzler, J., & McFall, P. *Delinquency 1979: A description of delinquency cases processed by courts with juvenile jurisdiction.* Pittsburgh, PA: National Center for Juvenile Justice.

U.S. Bureau of the Census. *Survey documentation: National Crime Survey, national sample.* Washington, DC: U.S. Department of Commerce, n.d.

Walsh, T. C. *National Crime Survey (NCS): Study plan for examining the effect of the increased telephone interviewing procedure.* Bureau of the Census Memorandum, October 30, 1981.

Webster, W. H. *Crime in the U.S., 1977.* Washington, DC: U.S. Government Printing Office.

Woltman, H. F., & Bushery, J. M. *Results of the NCS maximum personal visit—Maximum telephone interview experiment.* U.S. Bureau of the Census Memorandum, 1977.

Youth crime plague. *Time*, July 11, 1977, pp. 18-30.

Zimring, F. E. The serious juvenile offender: Notes on an unknown quantity. *The serious juvenile offender*. Proceedings of a national symposium, September 19 and 20, 1977, Minneapolis, MN. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

Zimring, F. E. American youth violence: Issues and trends. In N. Morris & M. Tonry (Eds.), *Crime and justice: An annual review of research* (Vol. 1). Chicago: University of Chicago Press, 1979, 67-107.

Zimring, F. E. Kids, groups, and crime: Some implications of a well-known secret. *Journal of Criminal Law and Criminology*, 1981, 72, 867-885.

John H. Laub is an Assistant Professor in the College of Criminal Justice at Northeastern University. He has recently completed a research project funded by the National Institute of Juvenile Justice and Delinquency Prevention examining trends and patterns in serious juvenile crime using NCS victimization data. His research interests also include oral history in criminological research and victimology. His recent publications include Criminology in the Making: An Oral History *(Northwestern University Press, 1983).*

HV 90880.S. A

.KS MAIN FILE COPY

5-83 14179

Juvenile Justice: Time for New Direction?

Jim Galvin, *Editor*
Ken Polk, *Contributing Editor*

Current trends suggest that after many years of increase there is a significant downturn in the level of delinquency. However, much of the current public debate is based on an assumption of a continued rise in youth crime.

It is crucial that such trends be clearly understood. For example, a decline in the rates of juvenile crime does not indicate that these levels are "low" in some absolute sense. The 1981 rates are considerably higher than those of twenty years ago. During the 1960s and early 1970s the rates rose rapidly; however, since the mid-1970s they have declined (see Figure 1). While this decline may be the direct result of public policy initiatives, it may also be accounted for by proportionately fewer young persons at risk of becoming delinquent.

Is delinquency declining because the programs of the last decade have worked? Or is the problem simply taking care of itself, declining because of proportional decrease in the youth population and in the importance of the "youth problem" in the public's mind? These two alternative explanations demonstrate the need for assessing our efforts in juvenile justice. The contributors to the current volume suggest six additional questions that are important to rethinking juvenile justice policy.

1. *Are the proposed new policy initiatives to deal with serious violent youth crime related to juvenile delinquency rates?*

The rates of serious violent delinquency have remained virtually unchanged for the last ten years (see Figure 1). Yet there is an increasing call for "get tough" policies aimed at young offenders, especially "chronic" or "violent" offenders. Similar policies are also directed at adult offenders and the result has been a sharp upturn in the levels of institutionalization of both juveniles and adults in many states. This trend has created massive problems of institutional crowding. Increased reliance on incarceration and incapacitation has become a major component of our juvenile justice policy.

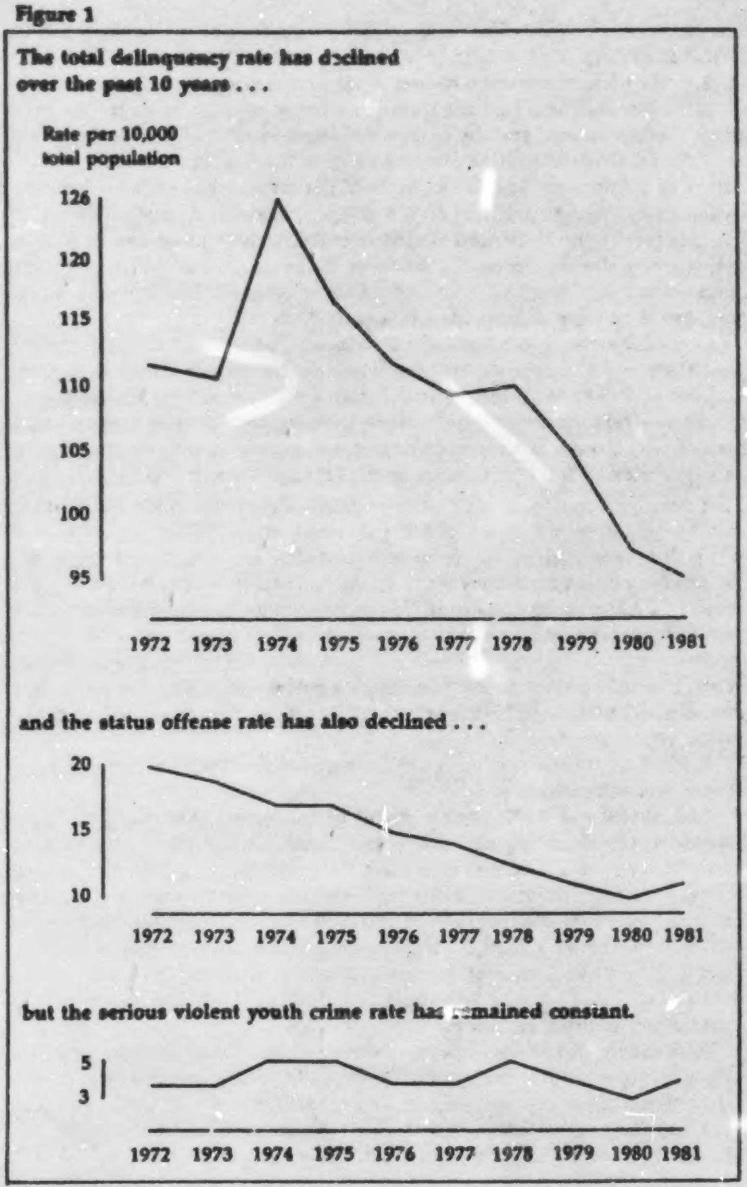
Barry Krisberg and Ira Schwartz, in their article "Rethinking Juvenile Justice," discuss this problem in some detail with regard to admissions to detention and training schools. They point out that the state variations in such

---

JIM GALVIN: Vice President, Research and Information, National Council on Crime and Delinquency, San Francisco, California. KEN POLK: Professor of Sociology, University of Oregon, Eugene, Oregon.

CRIME & DELINQUENCY, July 1983 p. 325-332
v.29

Figure 1



Source: FBI, 1973-1982: Total Arrests by Age Table rates are not necessarily linked to youth crime rates nor to the allocation of OJJDP funds intended to help change incarceration policies.

2. *Is the relative seriousness of most delinquency accurately portrayed?*

Lurid discussions of juvenile corrections in the popular media consistently attack "kiddie courts" and the permissive dispositions that permit hardened youthful criminals to run free in our city streets. Such accounts ignore the true nature of delinquency and the purpose of the juvenile courts. Most juvenile delinquency involves property crimes, status offenses, and other public order offenses (see Figure 2). Serious violent juvenile crime is a small fraction of total delinquency. Despite recent alterations in juvenile law, juvenile courts continue to spend much of their time on status offenses, which would not be considered criminal if committed by an adult.

One of the controversies of the last decade has to do with the extent to which status offenders differ from juvenile felons and misdemeanants. Thomas M. Kelley, in "Status Offenders Can Be Different," provides evidence that status offenders are distinguishable—that they are less likely to repeat, that their offense careers are different, and that the seriousness of their careers may be aggravated by legal processing, as the labeling theorists contend.

Young persons do commit serious crime. Policy proposals for juvenile justice must respond to the public's demand in the 1980s for safety and protection from such crime or be seen correctly as wrong and foolish. But delinquency includes a variety of behaviors, and courts must provide a range of services. Protecting or advocating for young persons in difficulty is as much a part of the courts' role as punishing and controlling young criminals. Youth development, delinquency prevention, advocacy, and treatment, as well as control, must be part of juvenile corrections policy. Exclusive emphasis on the custodial or other control of the exceptionally serious delinquent will warp the public policy debate.

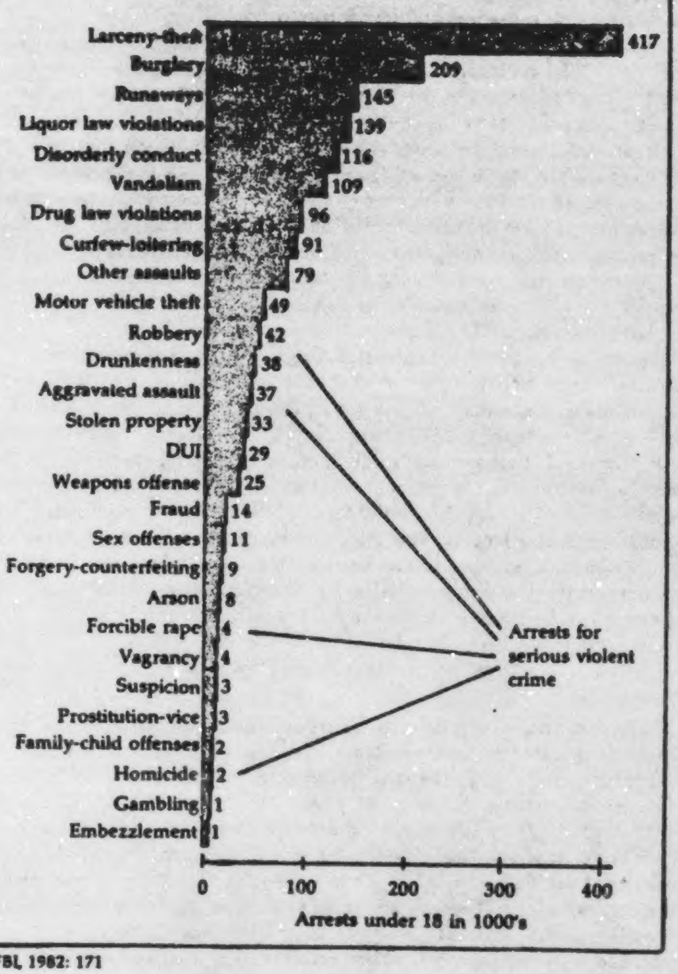
3. *What are the results of the initiatives begun in the 1960s and early 1970s to stem increasing delinquency?*

The 1960s and 1970s saw a mandate for action that made available resources at levels unthinkable in previous decades. A non-intervention theme dominated much of what was attempted. While this theme manifested itself in many ways (e.g., diversion, deinstitutionalization, decriminalization, and a concern for delinquency prevention and restitution), an obvious intent was to alter and reduce the role of the traditional juvenile justice system in the total pattern of juvenile justice policy and procedure. The writers of the present volume argue that it is time for us to assess what has been accomplished by the expenditure of these resources.

As Krisberg and Schwartz point out, the deinstitutionalization of the status offender is one of the reforms of the 1970s that has achieved some results—far fewer status offenders are being incarcerated. The juvenile arrest rates (see Figure 1) also suggest that arrests for such offenses are either declining or they are being handled informally or both. However, status offenses are still

Figure 2

High incidence delinquency includes property, status, and public order offenses; the serious violent crimes are a small part of the total volume of official delinquency



Source: FBI, 1982: 171

processed by the justice system—in 1981 the status offense arrest rate is more than two and a half times that for serious violent crime.

Rosemary Sarri in her paper on gender issues points out that the achievement in deinstitutionalizing status offenders had much more impact on females than males. Sarri also suggests that the popular contention that female crime has become more serious is not supported by the available evidence although it is clear that, if status offenses are excluded, female incarceration rates are rising more quickly than those for males.

Schlossman and Sedlak's fascinating review of the Chicago Area Project suggests that it may have achieved its goals much more successfully than did the various intervention programs of the 1970s, despite their often quite similar goals. Their paper presents evidence that, if the more recent experiments are found without useful result, the work of an even earlier era may be very relevant to public policy in the delinquency area. They point out that one of the most recognized of all delinquency programs, the Chicago Area Project, is best known for its role in the struggle of ideas over intervention approaches but that its results, which are very instructive, are not widely circulated.

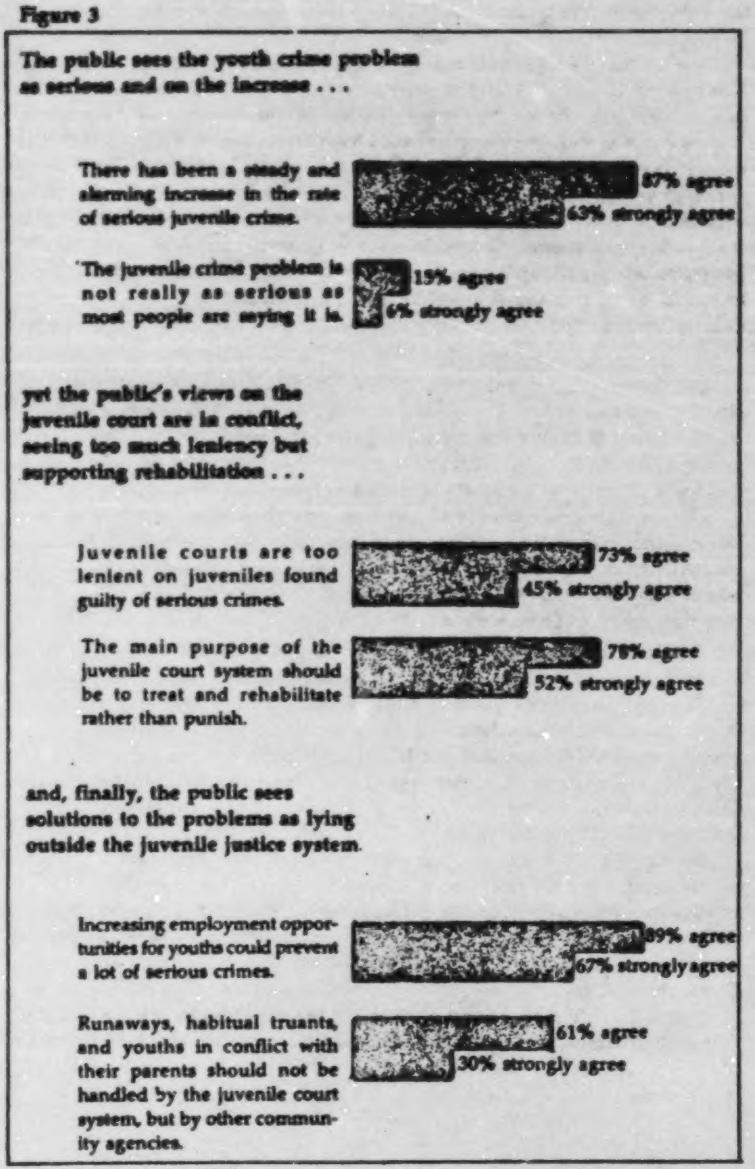
4. *How accurate is public opinion on the delinquency issue and what role should pubic fear of crime play in developing public policy?*

Lloyd Ohlin, in "The Future of Juvenile Justice Policy and Research," suggests that public opinion about delinquency is widely divergent from the facts. A recent poll (Hauger et al, 1982) underscored this point and also demonstrates the conflicting directions that public opinion can take (see Figure 3). The public, despite the FBI's figures on official delinquency, clearly believes that juvenile delinquency is rapidly increasing and very serious. The public sees the juvenile court as too lenient but still believes in rehabilitation through court intervention. Yet the public sees solutions to both preventing serious youth crime and treating the status offender as occurring outside of the juvenile justice system. Ohlin argues that it is only through organized community programming involving youth and adults alike, that the public fear of crime can be overcome and the energy behind it translated into positive social benefits.

5. *Can we identify and preserve the valuable elements of policy that have emerged in recent years?*

The past twenty years have changed our thinking about juvenile delinquency and delinquency prevention, treatment, and control. Prior to 1960 the predominant response to delinquency was psychological treatment such as counseling, therapy, or group work, carried out within closed institutional settings (there were important exceptions, such as the Chicago Area Project discussed by Schlossman and Sedlak, which helped inform the new policies of the 1960s and 1970s). From 1960 onward social structural interpretations of delinquency, became influential. Questions were raised about the role of juvenile justice process in aggravating delinquent behavior. Proposals emerged emphasizing work within natural community settings as the context

Figure 3



Source: Haugen et al, 1982.

for delinquency programs (and implicitly or explicitly criticizing closed institutional settings).

Few of these program ideas were implemented as initially visualized. Nonetheless the theorists and planners, including several of the authors in the present volume, have the responsibility of describing the failures of implementation and defending the basic ideas that are worth saving. Put another way, this volume is not of the "nothing works" variety. In particular both Ohlin and Schlossman and Sedlak argue for preserving approaches that either have been shown to work in the past or have never been adequately tested despite their conceptual appeal. Some ideas are of potential importance, and some programs worthy of expansion. If some policy leads following in the past are found to be of questionable value (and perhaps destructive), other paths deserve consideration.

6. *Where do we go from here?*

The contributors to the present work share a common concern for the shaping of public policy. The questions raised often lead to negative findings, but the intent is to discover useful direction for future policy. While this is perhaps clearest in Lloyd Ohlin's discussion of the future of juvenile justice, that same concern for the future is shared by the other authors to this volume.

The next two decades will present new conditions for youth and delinquency policy. What took place in the influential 1960 to 1980 period, as well as in the earlier period of the Chicago Area Project, should provide lessons which will lead to more effective directions for public policy. That is the common intent of these authors.

This issue marks a new era for *Crime and Delinquency*. It is the first issue produced from start to finish in our San Francisco offices. Laurel Hill and Rebecca McGovern, Associate Editors, and Brenda Logan, Editorial Assistant, of the publications staff, have put in long hours over the past six months in preparing for this issue and in establishing the publications program on the West Coast. This program, includes not only *Crime and Delinquency* but also the *Criminal Justice Newsletter*, the *Journal of Research in Crime and Delinquency* and the other NCCD publications.

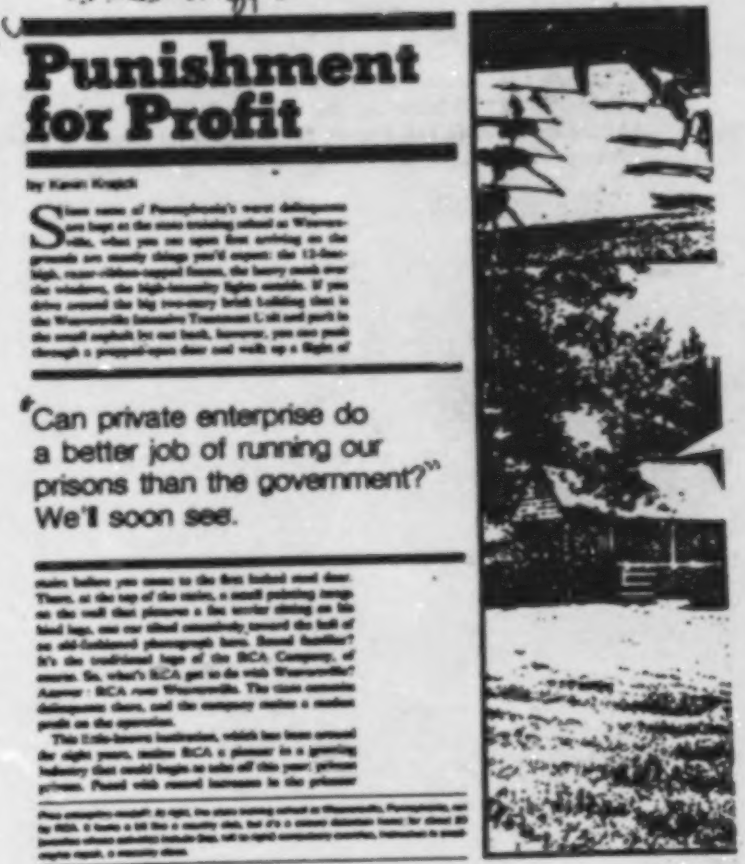
For *Crime and Delinquency*, this issue inaugurates an approach we plan to follow regularly in the future, that is, the selection of a common theme for the articles appearing in a given issue. This issue on "Rethinking Juvenile Justice" will be followed in the fall by one on adult prisons. In future years, we plan to devote a minimum of two of the four issues each year to a single theme. In this way we hope to give special focus to the concerns that are of particularly strong interest in the field at a given time. At the same time, those issues of the journal that are less narrowly focused will permit us to continue to reflect the full range of interest throughout the field.

REFERENCES

HAUGER, D., et al

1982 "Summary: Public Attitudes Toward Youth Crime, A National Public Opinion Poll Conducted by the Opinion Research Corporation." Minneapolis, MN: The Hubert H. Humphrey Institute of Public Affairs, 909 Social Sciences Bldg., 267 19th Avenue South.

[illegible] by S[illegible] MV 3772 [illegible]



Punishment for Profit

"Can private enterprise do a better job of running our prisons than the government?" We'll soon see.

R[illegible]-27 {full page illustration p.21]
March [illegible]

Across the Board 21

population, state and Federal administrators have become so beleaguered by overcrowding, bureaucratic delays, politics, lawsuits, and money shortages that they have begun turning to private enterprise to help them fill some of the ballooning demand for institutions. At the same time, a few pioneering corporations are trying to convince skeptics—and there are many—that they can do the job efficiently and humanely.

"The question is whether business is just going to run an outmoded and inhuman system more efficiently, or is going to bring some real improvements and new ideas," says Jerome Miller, a former corrections administrator and leading spokesman for institutional reform who runs the National Center on Institutions and Alternatives, a Virginia company that offers alternatives to prisons.

There are as yet only a few scattered private institutions. Their customers include the U.S. Bureau of Prisons, the Immigration and Naturalization Service, and the state of Florida. But negotiations are going on between companies and perhaps a dozen state and local governments, and some companies hope to get into the business in a big way in the near future. Among them are Control Data, RCA, and some of the nation's largest industrial-security concerns.

"We're on the cutting edge of a whole new industry," says [illegible]ellings, chief financial officer of the Corrections Corporation of America, a Nashville-based company that started business last June and recently landed its first contract.

There have been few private prisons since the 19th century, when some states shipped convicts to entrepreneurs, who used them as slaves on plantations and in factories. The terrible treatment that these prisoners received came to light during a wave of prison reform in the 1870s, and the states took back control of the institutions.

In the 1970s, the private sector entered the scene in a more beneficent role, providing a range of newly popular alternatives to prisons under contracts with governments. Companies set up thousands of halfway houses, drug-treatment programs, and group homes, most of them on a nonprofit basis. In some states, these companies have become permanent parts of the corrections system, and provide the majority of community programs. Lately, private enterprise, along with a few nonprofit organizations, has been taking an increasing role in the institutions, providing contract-medical, educational, and food services.

Corrections pro: T. Don Hutto, a former commissioner of corrections in both Arkansas and Virginia. He's [illegible] hired by the Corrections Corporation of America to manage its prisons.

Necessity is the force behind the corporate prison movement. The total state and Federal prison population, now close to 450,000, has been growing at a record rate of 20 percent in the past 18 months. Local jails, with more than 200,000 inmates, have faced a similar deluge. Because of complex bureaucratic procedures and the unwillingness of politicians to spend enough money on new prisons, few agencies have been able to keep up with the increases. The result has been crowding, increasing institutional violence, deteriorating services, and countless lawsuits brought by inmates seeking to improve conditions. Many states and localities have recently come under court orders to unclog their institutions, and some have been forced to release inmates early to do it.

Enter the new corporate wardens, who say that with modern management techniques and private capital they can build institutions faster and run them more cheaply than can government. Unlike most of the 1,000-plus private halfway-house vendors, they are talking about punishment for profit. Considering that governments may spend as much as $10 billion this year on corrections, there seems to be great potential for profits.

RCA's Weaversville Unit, probably the first modern private detention institution, was opened in 1975. RCA took over the school soon after the Pennsylvania Attorney General informed corrections officials that they could no longer keep hard-core delinquents in

across the board

Kevin Krajick is a former editor of Police and Corrections magazines. Both publications, supported primarily by the Ford Foundation, ceased publication last year.

state prisons. Unable to come up with a new facility right away, the officials turned for help to RCA, which was then contracting with the state to provide educational programs for delinquents. RCA set up Weaversville in a state-owned building in just 10 days and was rewarded with a contract to run it.

What does RCA get out of the deal? Probably the company makes no more than about $40,000 a year under its government contract. Thus the venture is as much a philanthropic and public-relations gesture as it is a business investment. Of course, the deal could backfire and the company could be hurt if some widely publicized riot or scandal erupts at the school. So far, however, the school has brought only good press; it has remained uncontroversial and, according to juvenile-delinquency experts, is very well run.

In 1982, the state of Florida turned over the Okeechobee School for Boys, one of its three juvenile training schools, to the Jack and Ruth Eckerd Foundation. The foundation, financed by the fortunes of the Eckerd drugstore chain, had been running "wilderness-experience" programs for troubled children for several years but had never been involved with hard-core delinquents. Jack Eckerd, a powerful figure in Florida politics, first proposed the idea of the foundation running Okeechobee to Gov. Bob Graham. State officials, burdened with a large delinquent population and lacking money for programs, approved, hoping that Eckerd could do a better job than they were able to do. The Eckerd Foundation is a nonprofit enterprise, and officials of the organization say they took on the project as a public service. With about 400 residents, the Okeechobee School is the biggest privately run institution.

The Federal Government has recently signed contracts that will soon make it the biggest customer for private lockups. The largest demand comes from the Immigration and Naturalization Service (INS), which has captured a growing number of illegal aliens in recent years and locked them up pending deportation hearings. An average of 2,000 are now in detention on any given day; the majority are kept in INS-operated detention centers, or in local public jails that receive per-diem allowances from INS for each alien. A year ago, the agency also began contracting with Southwest Behavioral Systems, a California-based, for-profit halfway-house company, which now holds about 350 INS prisoners in converted motels surrounded with fences in San Diego and Pasadena, California, and in Denver, Colorado. The INS has also contracted with the Corrections Corporation of America to operate a detention center in Houston—the company's first contract. The firm is building its own $4 million, 300-bed facility, which was scheduled to open in February, at a charge to the INS of about $24 a day per prisoner.

The Federal Bureau of Prisons is about to award a contract for the largest private prison so far—a 575-bed medium-security prison, also for illegal aliens, to be situated somewhere in the Southwest. There are about 1,500 illegal aliens serving time in the overcrowded Federal prisons for immigration offenses. William Garrison, a spokesman for the Bureau, explained the decision to contract for a private institution: "Rather than build our own institution for something that might be a temporary phenomenon, we decided not to take the risk. Besides, it takes two or three years for us to site and build a place. This is an immediate need, which the private sector has offered to fill. If at some point we don't need the place anymore, we can just terminate the contract." The contract proposal allows contractors to charge up to $45 a day per prisoner, which Garrison says will save the Bureau about 25 percent of what its own costs would be.

> "'We're talking about taking away people's liberty,' says a critic of private prisons. 'I question whether anyone but the state should do that.'"

The Corrections Corporation of America (CCA) is one of the front-running bidders for the contract. The company was founded by Thomas Beasley, a 41-year-old entrepreneur and Tennessee Republican politician whose other businesses include real-estate and insurance ventures. CCA is backed with money from Nashville's Massey Burch Investment Group, the same firm that started the now giant Hospital Corporation of America. Beasley, who has no prison-management experience, has hired several well-connected former corrections officials, including T. Don Hutto, a former commissioner of corrections in both Arkansas and Virginia, and Maurice Sigler, retired chairman of the U.S. Parole Commission.

Beasley plans to run the Corrections Corporation's prisons much like the Hospital Corporation runs its hospitals—with large purchase orders and centralized accounting and management, and by hiring experienced professionals from public agencies to run the day-to-day affairs of the institutions.

Hutto says he can do the job more efficiently as a CCA vice president than as a public official. "Govern-

Charged: Above, the Okeechobee School for Boys in Florida, probably the largest of the private detention institutions. A class-action lawsuit charges Okeechobee and two other training schools in Florida with "cruel and abusive conditions."

ment is inherently wasteful," he said. "It has agencies on top of agencies overseeing everything, and complex political processes. You can spend two or three years and millions of dollars and still not have a prison. CCA, on the other hand, can build in a matter of months," he said. "We can also get better prices from contractors. Contractors always charge the government more money." Hutto points out that CCA is free to rapidly expand or reduce the number of its employees without being restricted by Civil Service rules, and that it can pay less than government agencies do by hiring nonunion help—practices that characterize the existing private institutions.

CCA officials say they are negotiating with about a dozen state, Federal, and local agencies for possible contracts, but Hutto would identify only a few of them, saying that the rest are "still in the more sensitive stages"—meaning that he doesn't want the competition to know where the action is.

He is probably right not to show his cards, for he has a number of energetic competitors who probably would like very much to see them. The Bureau of Prisons' request for bids on its alien prison has drawn a tremendous response, according to one high official, and some of the companies that have bid have little or no experience in working with offenders. Bids have come in from manufacturing firms, industrial-security companies, halfway-house companies and architectural concerns that have designed jails and prisons.

RCA has bid on the contract. "We plan to actively pursue this type of business using Weaversville as a model," said Al Androlewicz, an RCA vice president in charge of education and human services. "Weaversville was once viewed as a one-shot deal, but we see now that times are changing."

Control Data Corporation, a conglomerate that deals mainly in computers, also has been pursuing the prison business. In 1982, the company was one of a half-dozen bidders on a contract to run a women's prison for the state of Minnesota. Control Data raised $15 million to build and staff the institution, but state officials eventually backed down on the idea and decided to run the prison themselves. Company spokesmen say that Control Data is actively involved in proposals to run private prisons, but they will not discuss specific negotiations. Control Data now holds a large interest in City Ventures, a company that sells vocational-training programs to prison systems.

Efficient as these profit-making concerns may be, the institutions they run are bound to reflect to some extent the aims, the limitations, and perhaps the abuses of the government systems of which they become a part. Nothing demonstrates this more clearly than the contrasts between RCA's Weaversville School and the Eckerd Foundation's school in Okeechobee.

Weaversville is part of a relatively progressive juvenile system; Pennsylvania has made a commitment to running small, well-funded institutions, and to finding alternatives to institutions for as many youngsters as possible. There are about 180 delinquents in four secure facilities, the smallest of which is Weaversville, which houses an average of 20 inmates at a time. The state runs separate programs for retarded and severely disturbed juvenile offenders.

Because of its intimate scale, Weaversville hardly seems like an institution. Inside, it resembles a college dormitory. Unlike many juvenile institutions, it is clean, quiet, and relaxed.

In the lower story of the building, the residents have their own carpeted rooms, to which they have their own keys. Many of the rooms are plastered with rock-music posters, and some residents have their own stereos from home (there is only one television, in the dayroom, and use of that is limited).

The classrooms and conference rooms, where residents spend much of their time, are upstairs. Weaversville has more staff than residents—usually about 30, including teachers, psychologists, and caseworkers. Most of the residents are years behind in school, so there is a heavy emphasis on remedial education, especially reading, which is taught by specially trained teachers. Another big feature of the program is daily group-therapy sessions, in which staff members encourage the residents to explore the problems that brought them to Weaversville. The caseworkers arrange for families of many of the inmates to visit regularly for counseling sessions.

On a recent visit to the school, this reporter found residents spending time with staff members in groups of three or four, or engaged in individual tutoring sessions. The atmosphere was considerably more casual than in most public schools, with teachers and students joking easily with each other at times. Yet everyone had something to do—no one was just "hanging out."

"This place really does a lot for you," said one 17-year-old inmate who had done time in four other settings, including other training schools. "It's so small, you can't get away with anything. . . . You have to face your problems."

"Weaversville is better staffed, organized, and equipped than any program of its size that I know," said James Finckenauer, a Rutgers University professor of criminal justice who has studied delinquency programs nationwide. He thinks the fact that the facility is privately run helps: "In a lot of public institutions, you find that the staff has the attitude that it's just there to do a job and then leave at the end of the day. At Weaversville, you've got people who see their job as more expansive."

Henry Gursky, a psychologist who is the manager of Weaversville, said, "We're able to do what we do because somebody up there in the state really cares about these kids. They give us whatever we need." The state budgets more than $40,000 a year for each resident at Weaversville. About 5 percent of that is RCA's profit.

Gursky, who worked for the state mental-health system before coming to Weaversville eight years ago, said that RCA headquarters' involvement in the school's day-to-day affairs is minimal. "I feel pretty good about working for RCA, but I don't know a lot about them," he said. The company's main functions seem to be reviewing financial decisions and issuing paychecks from its distant headquarters in New Jersey. "My commitment is to the kids, not RCA," said Gursky.

"'The question is whether business can bring real improvements and new ideas to an outmoded system,' says a prison-reform advocate."

The Florida School for Boys at Okeechobee is a far cry from Weaversville. The American Civil Liberties Union and a coalition of other public-interest groups are suing it and two other Florida training schools run by the state for what the court complaint calls "cruel and abusive conditions of confinement." The class-action lawsuit, filed in Federal District Court in January 1983, includes a long list of allegations: overcrowding, unsanitary conditions, inadequate feeding and clothing of the residents, poor security, which has resulted in frequent beatings and sexual assaults among residents, grossly inadequate medical care, lack of psychological counseling, and a general "atmosphere of fear and violence."

The Eckerd Foundation is not named in the suit, nor do most of the school's critics blame the foundation for the alleged conditions there. Critics say that Eckerd has inherited the fruits of the state's antiquated and harsh policies toward delinquents—policies that make it difficult for anyone to run a decent facility.

Customers: The Government must detain growing numbers of illegal aliens—like the Haitians seized in Miami above—and will then be one of the biggest customers for private lockups.

Florida gives Eckerd less than one-half the money per resident at Okeechobee that Pennsylvania gives to RCA for Weaversville. Juvenile-justice experts say that Florida imprisons too many delinquents in training schools to begin with, and that all the schools are too big for their own good. Okeechobee alone is more than twice the size of the Pennsylvania institutional system, which virtually guarantees that few inmates will receive individual attention. Because of a shortage of qualified staff, some educational programs have waiting lists; the lawsuit charges that the programs are inadequate and poorly organized in any case.

One major factor contributing to the problems at all three schools is the disparate mix of residents who are sent there. The state does have a variety of alternative, nonresidential programs for young offenders, but there are not enough slots to go around, so the runoff is sent to places like Okeechobee. For many who are sent, the setting is completely inappropriate; the Eckerd Foundation reported to the state in October that it was receiving a "large and increasing number" of retarded and severely disturbed offenders, for which the school has no programs, and who are disrupting the institution. In addition, an astounding 32 percent of those sent to the training schools last year were up on their first commitment to the state—no other, less drastic alternative had been tried. These first-timers are mixed in with the tougher, more experienced offenders.

"Okeechobee is just a dumping ground," said state senator Don Childers, whose district includes the school. "I don't think there's anything Eckerd can do that will have a meaningful effect if they don't control the budget and they don't control who gets sent to them. . . . I think they thought they could turn that place around overnight, but they've found they can't."

Eckerd officials agree with most of the critics. William Ross, the foundation's director of administration, says the worst problems are the overcrowding and the uncontrolled mix of psychotics, hard-core delinquents, and first-time offenders, which he says creates "havoc." He agrees the school's sheer size and remoteness (it is in the swampy, rural interior of central Florida) are also problems, and that many of the residents don't belong in a training school. "The ACLU suit has helped bring attention to the problems," he said. "We hope that now the legislature will become more aware of the needs."

Visitors familiar with the school say that Eckerd has tried to make improvements within its limited budget. Buildings that had been neglected by the state have been patched up and painted, and the staff has made an effort to make the interiors of the barrackslike structures more cheery, and the food has been improved. Broken toilets and screens have been repaired and dilapidated equipment replaced. The foundation is donating $200,000 this year to raise salaries in hopes of attracting more qualified staff. Last year, Eckerd officials persuaded a grocery-store chain to donate some equipment for a bakery where residents receive training, and it has bought sneakers and computer terminals. "There is a definite commitment to making the place work," said John Conway, the public defender in West Palm Beach, the nearest city to Okeechobee. "But it's going to take more than a few sneakers."

Al Hadeed, one of the attorneys suing the school, thinks that private enterprise should get involved with running institutions only if it is ready to be more aggressive about changing the system than he thinks Eckerd has been. "If the private sector wants to make a case for relevancy in this business, then it will have to make a break with the past," he said.

Some business people think that the private sector is ideally suited to this purpose. "I think that business is the shining hope for corrections," said Richard Mulcrone, former head of the Minnesota corrections system and past chairman of the state's parole board. Mulcrone now works for Control Data. "It's hard for the government to change its own stagnant institutions, but business has the advantage of coming in from the outside," he said. "If anyone can do it, they can."

But the idea of private prisons is a touchy subject for many corrections professionals. For one thing, they are worried that companies will begin meddling in state and local politics in order to secure contracts. Last September, the Texas Legislature passed a law sponsored by the Texas Sheriffs' Association, authorizing counties to contract for private jails. No jails have yet been opened under the law, but Robert Viterna, director of the state Jail Standards Commission, termed the legislation "strictly a private-interest bill," put through by former lawmen interested in getting into business.

This spring, the New Mexico State Legislature will consider a similar bill. The power behind that legislation is Colorado oilman and cattle magnate O. Wesley Box. Box has the support of authorities in seven rural counties who want to have him build and run two regional jails for them. The county officials are lobbying for the bill because they believe that Box, with his business experience, can run the jails better than they can. Box forthrightly admits that he is lobbying because he foresees a growth in the counties' jail population, which will mean profits for him.

This aspect touches a deeper reservation that some have about private prisons. "Should justice be a profit-making enterprise?" asks Mark Cuniff, director of the National Association of Criminal Justice Planners. "Should it be an industry that's manufacturing a consumer product? We're talking about taking away people's liberty, and I have questions about the propriety of anyone but the state doing that."

Observers like Cuniff worry that business will make good on their promises to imprison more cheaply by cutting back on services, which would worsen the already dreadful quality of life in many institutions. The comparison that skeptics most often make is with the private for-profit nursing-home industry. "I once had to care for an elderly relative in a private nursing home," remembers Perry Johnson, Michigan's director of corrections. "They were terrible people . . . leeches. Everything was for money, and the clients suffered. If the companies do prisons like they do those places, we'll be set back 100 years."

The Federal Bureau of Prisons does have standards for the operation of its own institutions, which are uniformly better run and less unpleasant than most state prisons. Their proposal for the illegal-alien prison calls for the contractor to adhere to those standards. The bureau intends to have full-time employees monitoring the institution, as the INS already has in its contract-detention centers.

When Florida state legislators agreed to have the Eckerd Foundation take over the Okeechobee school, they made the deal contingent on Eckerd admitting out-of-state observers to assess the operation. A team from the American Correctional Association (ACA), the country's most prominent organization of prison professionals, is to do a study of the school this year.

However, the nursing-home industry also is regulated by a variety of inspectors, and that regulation has not necessarily produced well-run institutions.

Most observers acknowledge the possible dangers but are willing to give business a chance. "Complex problems require complex solutions," said Anthony Travisono, director of ACA. "It is true that the profit motive could cause a conflict of interest, but for that very reason, people are going to watch private industry very closely, probably more closely than they watch the public sector."

T. Don Hutto emphasized the delicacy of his company's business: "If the private sector is going to do this, then we have to do it carefully and right. We have to show that we have something to contribute to the field." ■

[illegible] File Copy

84-561

Firearms and Suicide in the United States

Robert E. Markush, MD, MPH, and Alfred A. Bartolucci, PhD

Abstract: Regional United States suicide rates in the mid 1970s were associated with the household prevalence of all guns and of pistols. The term "regional" applies to the nine Census divisions of the four US census regions. A literature review suggests that the relation may be etiologic, and that more definitive studies and pilot programs are needed. Arming may be an etiologic factor common both to individual and to national self-destructive behaviors. (Am J Public Health 1984; 74:123–127.)

"No more, Pistol. I would not have you go off here. Discharge yourself of our company, Pistol."[1]

Introduction

For many years vital statistics have indicated marked geographic variation in suicide rates across regions of the United States and across nations.[2] It has been suggested that much of the variation across nations in both suicide and homicide rates results from differences in the availability of lethal agents for use in self-destruction.[3] Increasing rates of suicide[4-6] and homicide[5,7] have been linked to the increased availability of firearms, particularly handguns. Attempts at evaluating the benefits of reducing the availability of firearms in the US have tended to neglect the possible impact on suicide.[8] [illegible] and [illegible], for example, limited their evaluation of the impact of gun control to accidental deaths, homicidal deaths, and other crimes,[9] despite the fact that US suicides consistently outnumber homicides.* Lester and Murrell found a significant correlation between the strictness of US state gun control legislation and state suicide rates, particularly for males, but did not indicate whether strict legislation was associated with low firearm prevalence.[10] Other investigators have interpreted data as indicating that cultural factors have more influence than firearm availability on suicide rates.[7,11]

To evaluate and quantify the relation between firearm availability and suicide rates, we compared the prevalence of firearms, as determined by recent national surveys, with the incidence of suicide in the nine US Census-defined divisions,** excluding Alaska and Hawaii.

Method

Data on proportion of households with guns were obtained from National Opinion Research Center (NORC) surveys conducted in 1973, 1974, 1976, and 1977 on samples of "the total non institutionalized English-speaking population of the continental United States 18 years of age or older."[12] Each sample consisted of about 1,500 interviews. One individual from each selected household was interviewed. Since the number of subjects was quite small in several subgroups, we have combined the data from the four years: the total four-year sample involved 6,017 interviews.

The survey interview asked the following question: "Do you happen to have in your home (IF HOUSE: or garage) any guns or revolvers?" Forty-seven and one-half per cent of the 6,017 subjects interviewed answered "yes" to this question; no answer was obtained from 1.2 per cent (73). Those who responded "yes" were then asked: "Is it a pistol, shotgun, rifle or what?"

Of the 6,017 interviewees, 20.9 per cent reported having pistols, 28.6 per cent reported shotguns, and 28.5 per cent reported rifles. The NORC data indicated the proportions of the surveyed population having the different forms of firearms according to sex, color,*** age group, and census region.

Regional suicide rates were calculated using numbers of deaths by cause, color, sex, and state from Tables 1–27 in reports of Vital Statistics of the US for the years 1973, 1974, 1976, and 1977.[13] The Eighth Revision, International Classification of Diseases codes E950–E959 were used for total suicides, and code E955 for firearm suicides. Population estimates were obtained from Current Population Reports of the US Census for spring 1976.[14] This publication was selected because it provided age breakdowns which may be utilized in further analyses.

Linear regression analyses were performed on an IBM 4341 mainframe computer using the Statistical Analysis System (SAS). We conducted both unweighted and weighted regressions.[15] For the latter, we multiplied each region's data by the given sex/color's relative population size, setting the weight of the smallest region's population at unity. Among the nine sex/color categories, the resultant weights varied the least among White males (from 1.000 in the Mountain region to 3.867 in the East North Central region), and the most for non-White females (from 1.000 in the New England region to 14.382 in the South Atlantic region).

Results

Suicide Rates by Sex, Color, and Region

For the four years 1973–1974 and 1976–1977, the overall suicide rate for the contiguous US was 12.6 per 100,000 person-years, as shown in Table 1. Among the nine regions, it ranged from 17.3 per 100,000 person-years in the Mountain and Pacific regions, down to 9.3 in the Mid-Atlantic. Male rates were more than twice female rates in all regions and in both White and non-White groups. With the exception of

---

*US Government statistics for 1977, for example, show 28,681 suicides compared to 19,968 homicides.

**Whereas the US Bureau of the Census divides the US into nine "divisions" and groups these into four "regions," we shall use the term "regional" in this report to refer to the nine smaller divisions.

***White or non-White.

Address reprint requests to Dr. Robert E. Markush, [illegible] Linwood Road, Birmingham, AL [illegible]. Dr. Markush is affiliated with the Departments of Psychiatry and Epidemiology and Dr. Bartolucci is with the Department of Biostatistics, University of Alabama, Schools of Medicine and Public Health, Birmingham.

This paper, submitted to the Journal September 3, 1982, was revised and accepted for publication September [illegible], 1983.
Editor's Note: See also related editorial p [illegible] this issue.

© 1984 American Journal of Public Health 0090-0036/84 $1.50

American Journal of Public Health

p. 123–127

TABLE 1—Total Suicide Rates, Contiguous US, Four-Year Base, ([illegible] and [illegible]) by Nine Regions, Color and Sex

	Suicide Rate (per 100,000 Person-years)								
	Total			White			Non-White		
Regions	Total	Male	Female	Total	Male	Female	Total	Male	Female
New England	10.1	16.2	5.0	10.2	16.6	6.4	5.8	9.0	2.7
Mid-Atlantic	9.3	14.1	4.9	9.5	14.7	5.2	6.0	9.6	2.8
East North Central	11.7	17.8	6.1	10.2	16.5	5.5	7.6	12.1	3.6
West North Central	11.6	16.8	6.2	11.8	18.7	6.2	7.9	10.4	2.8
South Atlantic	13.6	21.0	7.1	16.1	24.1	6.6	6.0	9.9	2.3
East South Central	11.7	18.4	5.2	13.6	21.3	6.2	4.7	7.7	1.9
West South Central	10.4	16.8	5.5	10.6	20.7	7.8	5.4	8.7	2.2
Mountain*	17.3	26.2	5.8	17.2	26.6	8.7	10.6	16.2	7.1
Pacific	17.3	26.6	11.9	18.8	26.0	11.6	9.7	13.7	6.9
Total Contiguous US	10.6	16.6	6.7	12.4	20.0	7.2	6.7	10.7	3.1

males in the Mountain region (where in 1975 native Americans made up 48.7 per cent of the non-White population (derived from[27]) and 36.5 per cent of non-White deaths (derived from[28])). White suicide rates were higher than non-White rates. Non-White rates were lowest in the East South Central region, and non-White females consistently had the lowest rates in all regions.

Overall, firearm suicides made up slightly more than half of all suicides; among males, it was considerably more than half; among females, considerably less. As shown in Table 2, firearm suicide rates were highest in the Mountain region and lowest in the Mid-Atlantic for both males and females. The ratio of the rate for the highest region to that for the lowest was greater than three, while the comparable ratio for total suicide rates was less than two. The contrast between male and female rates was also more striking for firearm suicides than for total suicides, about a five-fold difference for the former, and less than three-fold for the latter. As in total suicides, White rates were roughly double non-White rates.

Non-firearm suicide rates (derivable from Tables 1 and 2) were highest in the Pacific region, which was also one of the highest regions for total suicides. Unlike firearm suicides, non-firearm suicide rates were lowest in the East South Central region. The rates for males were considerably higher than those for females, but were relatively closer to the female rates than was the case for the firearm suicide rates.

Gun Prevalence Rates by Sex, Color, and Region

About half the people surveyed lived in a household[a] with some kind of gun. As shown in Table 3, gun prevalence was highest (74.9 per cent) in the East South Central region, and lowest (24.3 per cent) in New England, higher for males (54.3 per cent) than females (45.7 per cent), and higher for Whites (51.3 per cent) than non-Whites (37.3 per cent).

Pistol prevalence, at 20.9 per cent, was about one-third total gun prevalence (57.1 per cent); the regional distribution of pistols, shown in Table 4, was generally similar to that of total firearm prevalence. Relative differences among the regions were larger for pistol than for non-pistol gun prevalence: the extremes for pistols were 5.6 per cent and 35.6 per cent, whereas for non-pistol guns they were 18.7 per cent and 34.3 per cent.

Regression Analyses

Total suicide rates showed significant (p = .05) weighted regression on gun prevalence for all demographic groups examined except non-White females. For all demographic groups combined, the correlation coefficient was 0.81 (p =

TABLE 2—Firearm Suicide Rates, Contiguous US, Four-Year Base ([illegible] and [illegible]) by Nine Regions, Color and Sex

	Suicide Rate (per 100,000 Person-years)								
	Total			White			Non-White		
Regions	Total	Male	Female	Total	Male	Female	Total	Male	Female
New England	[illegible]	[illegible]	[illegible]	3.9	7.0	1.8	1.7	3.1	0.6
Mid-Atlantic	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1.7	[illegible]	[illegible]
East North Central	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1.7	[illegible]	[illegible]	[illegible]
West North Central	[illegible]	[illegible]	1.7	[illegible]	[illegible]	1.7	[illegible]	[illegible]	[illegible]
South Atlantic	[illegible]	[illegible]	1.7	[illegible]	17.4	[illegible]	[illegible]	[illegible]	[illegible]
East South Central	[illegible]	16.1	[illegible]	[illegible]	17.8	[illegible]	[illegible]	[illegible]	[illegible]
West South Central	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	4.1	[illegible]	[illegible]	[illegible]
Mountain	11.2	[illegible]	[illegible]	11.3	[illegible]	4.1	[illegible]	[illegible]	1.7
Pacific	[illegible]	[illegible]	9.1	[illegible]	14.2	[illegible]	[illegible]	[illegible]	[illegible]
Total Contiguous US	[illegible]	11.0	2.6	7.4	13.5	2.6	3.7	6.4	1.2

TABLE 3—Total Gun Prevalence, Contiguous US, Four-Year Sum (1973–1974 and 1976–1977) by Nine Regions, Color and Sex

Regions	Total %			White %			Non-White %		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
New England	24.0	30.7	13.1	26.6	31.0	20.6	12.0	(25.0)	(8.3)
Mid-Atlantic	33.6	31.1	28.4	32.1	33.6	30.7	9.4	6.1	11.8
East North Central	45.4	50.0	40.6	50.3	57.6	45.6	45.4	40.1	41.8
West North Central	55.7	72.8	44.6	56.2	65.6	40.6	40.6	30.0	44.0
South Atlantic	55.7	69.0	[illegible]	65.6	75.6	50.1	40.6	50.5	46.6
East South Central	74.0	79.4	[illegible]	75.7	77.6	74.1	70.3	(67.0)	37.1
West South Central	57.8	61.3	54.2	57.0	65.5	50.7	30.0	(72.7)	17.7
Mountain	54.0	60.4	50.3	55.7	60.5	51.6	(95.7)	(60.7)	(95.7)
Pacific	39.0	46.1	37.1	40.1	46.6	36.6	27.8	26.4	17.9
Total Contiguous US	45.7	51.2	40.7	51.3	55.9	47.3	27.3	41.0	24.9

( ) = Based on sample of less than 20 interviews.

.0077) with a slope of 0.19 ± 0.05 (SE). Comparable unweighted regression analyses were not significant.

Firearm suicide related to gun prevalence with greater uniformity than did total suicide across the nine demographic groups and the two methods of weighting. For the entire population, the unweighted correlation coefficient was 0.82 (p = .0066) with a slope of 0.13 ± 0.03; weighting changed the coefficient to 0.90 (p = .0009), and slope to 0.12 ± 0.02.

Of the 16 regression analyses of non-firearm suicides on gun prevalence, all but two (total males and White males, both with negative slopes) produced coefficients which were not statistically significant.

Limiting the analyses to pistols created only minor differences from the results for all forms of guns. The weighted regression coefficient of total suicide on pistols for the entire population was 0.77 (p = .0159), with a slope of 0.42 ± 0.13. One unweighted analysis of total suicide (that for White males) produced a significant coefficient, 0.74 (p = .0217), with a slope of 0.26 ± 0.09.

The analyses of firearm suicide and pistols produced correlation coefficients which generally were more significant than those of firearm suicide and total guns. For the entire population, the unweighted coefficient was 0.92 (p = .0004) and the slope 0.23 ± 0.04; weighting changed these to 0.96 (p = .0001), and 0.29 ± 0.03, respectively.

None of the coefficients for non-firearm suicide regressed on pistols reached significance.

Figure 1 illustrates the significant unweighted regression of total suicide and firearm suicide on pistol prevalence for White males. Table 5 gives the probability values for the significance of all correlation coefficients.

Discussion

Unweighted comparison of regional suicide rates and firearm prevalence has indicated a strong association between pistol prevalence and White male suicide rates. When comparisons were weighted to account for regional differences in population size, the association became stronger. Suicides coded to firearms as the agent showed particularly sharp differences across region, sex, and color, and particularly high correlations with firearm prevalence, supporting the validity of the firearm prevalence data.

These correlations should be interpreted cautiously in the context of the statistical properties recently described by Morgenstern for multiple group comparison studies.[22] Cross-level bias, or "ecological fallacy," can result if a region's firearm prevalence influences the individual death rate from suicide for reasons other than the region's firearm prevalence itself. One could hypothesize, for example, that some factor common to the southern US culture causes both a

TABLE 4—Pistol Prevalence, Contiguous US, Four-Year Sum (1973–1974 and 1976–1977) by Nine Regions, Color and Sex

Regions	Total %			White %			Non-White %		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
New England	8.6	9.6	6.7	8.8	9.8	[illegible]	3.0	(8.7)	(0.0)
Mid-Atlantic	10.5	14.5	6.5	11.6	15.6	8.6	9.1	8.0	7.4
East North Central	12.9	16.9	10.0	17.6	19.2	10.8	25.0	29.1	15.6
West North Central	15.0	24.7	11.9	16.7	[illegible]	11.7	12.8	25.0	9.6
South Atlantic	25.6	32.7	20.6	20.7	[illegible]	20.4	23.8	34.7	20.6
East South Central	26.0	35.6	22.5	25.6	30.2	21.0	27.9	(37.0)	18.1
West South Central	26.9	31.9	20.6	26.6	25.4	20.0	20.6	(37.8)	11.6
Mountain	24.7	30.7	20.5	25.5	27.6	24.1	(51.7)	(35.6)	(33.0)
Pacific	19.6	28.6	16.1	19.0	20.1	16.9	16.1	8.1	17.6
Total Contiguous US	20.0	24.2	16.0	21.5	24.6	18.1	16.0	20.0	17.6

( ) = Based on sample of less than 20 interviews.

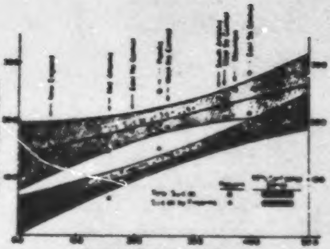


FIGURE 1—Unweighted Regressions of Total and Firearm Suicide Rates on Pistol Prevalence in Nine Regions of Contiguous United States, Four-Year Mean (1973–1974 and 1976–1977), White Males

tendency toward suicidal behavior and a tendency to have guns (e.g., see Marks and Abernathy[?]). Studies measuring suicide rates and firearm prevalence at the individual level would eliminate such bias. Additional biases in this study may result from regional differences in the underreporting of suicide,[?] and from such confounding variables as age, for which our data have not yet been controlled.

Other studies support our findings and suggest that the firearms-suicide correlation is etiologic and not due to bias. A study by Cook tends to confirm the validity of the NORC firearm prevalence data by confirming the latter's correlation with both regional suicide and homicide rates by firearms.[?] The firearms prevalence data in Table 3 closely resemble less detailed data from a 1968 Harris survey which found gun ownership to be 46 per cent in the West, 51 per cent in the Midwest, 33 per cent in the Northeast, and 59 per cent in the South.[8]

Farmer and Rohde examined suicide mortality in 1960–73 in 11 "developed" countries and found higher rates in countries such as the US, Australia, and France, with the least restrictive firearm legislation.[7] Lester and Murrell found a negative correlation between their Guttman scale rating of the strictness of the gun control legislation in each of 48 US states and male suicide rates for both 1959–61 and 1969–71. They felt their study provided ". . . indirect support for the notion that controlling methods for suicide may reduce the suicide rate."[10]

Using variation over time, not geography, Lester and Murrell found that legislation strictness in the 48 states related negatively to both absolute and relative increases from 1959–61 to 1969–71 in male and in female total suicide rates.[11] Boor examined trends in the methods of US suicides by sex and color for the years 1962–75.[5] During this time period, the number of firearms imported or domestically produced in the US increased more than three-fold, while the overall suicide rate increased from 10.9 per 100,000 person-years in 1962 to 12.7 in 1975; virtually all the increase was accounted for by firearm suicides. Boyd increased the period of analysis to 25 years (1953–1978) and again found that firearm suicide alone account for the entire increase in total US suicides; he also concluded that the increase in suicide could not result from misclassification of self-inflicted firearm accidents.[6]

High total and firearm suicide rates have been noted in an occupational group highly exposed to firearms: a study of suicide among New York City policemen over the 1934–1940 period determined that nine out of ten killed themselves with revolvers (82 per cent were gunshot wounds in the head), and that the Department's suicide rate for the years 1934–1939 was 84.5 per 100,000 person-years, compared to the city's civilian rate of 15.2 per 100,000 person-years.[?]

The possibility that the firearms-suicide correlation is etiologic gains additional indirect support from studies suggesting that the availability of two other suicidal agents also correlates with suicide rates. Farmer and Rohde examined the relationship between suicide rates in England and Wales and the availability of coal gas. They found that, over a 100-year period, "the rise in coal gas suicides occurred coincidentally with the widespread introduction of coal gas to domestic use, . . . the increase did not appear to displace other methods of suicide."[7] Two studies have suggested that

TABLE 4—Probability Values for Significance of Correlation Coefficients, Unweighted and Weighted Regression Analyses of Total and Firearm Suicide Rates on Household Gun and Pistol Prevalence, Contiguous US, Four-Year Mean (1973–1974 and 1976–1977) by color and sex

Category of Suicide	Regression Analysis	Total			White			Non-White		
		Total	Male	Female	Total	Male	Female	Total	Male	Female
					Guns					
Total	Unweighted	[illegible]	.1720	.7075	.5779	[illegible]	[illegible]	.2013	[illegible]	[illegible]
Total	Weighted	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Firearms	Unweighted	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.1957	[illegible]
Firearms	Weighted	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Nonfirearms	Unweighted	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.1947	[illegible]	[illegible]	[illegible]
Nonfirearms	Weighted	[illegible]	[illegible]	.1057	[illegible]	[illegible]	[illegible]	.2417	[illegible]	[illegible]
					Pistols					
Total	Unweighted	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total	Weighted	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Firearms	Unweighted	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Firearms	Weighted	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Nonfirearms	Unweighted	[illegible]	[illegible]	[illegible]	.1758	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Nonfirearms	Weighted	[illegible]	[illegible]	[illegible]	[illegible]	.1904	[illegible]	[illegible]	[illegible]	.1757

the fall in suicide mortality in England, Wales, and Scotland since the mid-1960s was related to the change in the domestic gas supply from toxic coal gas to nontoxic oil-based gases and subsequently to natural gas.[22,23] Boor mentioned that a reduction in the toxicity of domestic gas in Vienna was also paralleled by a reduction in the overall suicide rate.[5] Brown noted that the decrease in Great Britain's suicide rates in the 1960s was associated with a substantial increase in the rate of unsuccessful suicide attempts.[24] Oliver and Hetzel found that a substantial increase over the period 1953–1968 in total suicide rates for young women in Australia was associated with a period of relaxed prescribing standards for sedative drugs, and concluded that the availability of a means of inflicting fatal self-injury (sedative drugs) bears direct relationship to the incidence of such self-injury, without much effect on other modes of self-injury.[25]

Thus a relation appears to exist between changes in the availability of three different agents (firearms, toxic gas, and drugs) and changes in suicide rates. Boor concluded that "the physical availability of the more culturally accepted method of suicide is a major determinant of suicide rates and that suicides may be prevented by decreasing the availability of the most common methods of suicide to suicidal individuals."[5]

There may be some benefits to firearms to balance against the hypothesized excess in suicide deaths. Bruce-Briggs has pointed out that Southern and Southeastern cities which have high rates of gun ownership have low rates of burglary and that, "In rural areas and small towns, a boy's introduction to guns and hunting is an important rite of passage."[26] Some of the variation in gun prevalence may relate to the proportion of the population involved in agriculture, where guns may be needed for animal and pest control.[3] For these reasons, it may be necessary to further quantify both the costs and the benefits of the firearms in our households.

Cultural factors seem to influence the choice of suicidal agent.[8-11] Hanging, for example, is a common suicidal method in Germany and Belgium, where it contributes to excess suicide mortality when compared to England and Wales,[3] even though it has a fatality rate in suicide attempts of 78 per cent and can be considered almost universally available.[27] High suicide rates seem to occur where highly lethal suicidal methods are not only available but also where they are culturally acceptable.

A relation has been suggested between human violence at the individual level and violence at international levels.[28] Increasing rates of self-destruction from increased individual arming seem to be paralleling increasing risk of mass self-destruction from increased international arming, particularly nuclear arming. One wonders whether the two levels of self-destructive arming may share some etiologic factors. Factors suggested for the international level include self-destructive reaction to unconscious fear,[29] insensitivity to terror,[30] and inappropriate levels of anxiety.[31] Many cultural leaders have warned that, "Nothing is to be so much feared as fear."[32]

We suggest, therefore, that three factors—namely, the statistically significant regional correlation of gun and pistol prevalence with US suicide rates, the correlations of these factors across nations and years, and the increases and decreases in suicide rates associated with changes in the availability of lethal and customary suicidal agents—indicate the need for more definitive studies and pilot programs.

REFERENCES

1. Shakespeare W: Second Part of King Henry the Fourth, ii, IV: 146–148. In: Kittredge GL (ed): The Complete Works of Shakespeare. Boston: Ginn and Co, 1936.
2. Kramer M, Pollack ES, Redick RW, Locke BZ: Mental Disorders/Suicide. Cambridge: Harvard University Press, 1972.
3. Farmer R, Rohde J: Effect of availability and acceptability of lethal instruments on suicide mortality: an analysis of some international data. Acta Psychiatr Scand 1980; 62:436–446.
4. Hirsch CS, Rushforth NB, Ford AB, Adelson L: Homicide and suicide in a metropolitan county. I. long-term trends. JAMA 1973; 223:900–905.
5. Boor M: Methods of suicide and implications for suicide prevention. J Clin Psychol 1981; 37:70–75.
6. Boyd JH: The increasing rate of suicide by firearms. N Engl J Med 1983; 308:872–874.
7. Newton GD, Zimring FE: Firearms and Violence in American Life: A Staff Report to the National Commission on the Causes and Prevention of Violence. Washington, DC: Govt Printing Office, 1970.
8. Etzioni A, Remp R: Technological Shortcuts to Social Change. New York: Russell Sage, 1973.
9. Vital Statistics of the United States, 1977, Vol II, Mortality Part A. Hyattsville, MD: National Center for Health Statistics, 1981.
10. Lester D, Murrell ME: Influence of gun control laws on suicidal behavior. Am J Psychiatry 1980; 137:121–122.
11. Marks A, Abernathy T: Toward a sociocultural perspective on means of self-destruction. Life Threat Behav 1974; 4:3–17.
12. Davis JA: General Social Surveys, 1972–1978: Cumulative Codebook. Chicago: National Opinion Research Center, University of Chicago, July 1978; p 172.
13. Vital Statistics of the United States: 1973, 1974, 1976, and 1977. Vol II Mortality Part A. Hyattsville, MD: National Center for Health Statistics, 1977–1978, 1980–1981.
14. Current Population Reports: Series P-20, No 334, Demographic, Social, and Economic Profile of States: Spring 1976. Bureau of the Census. Washington, DC: Govt Printing Office, 1979.
15. Chatterjee S, Price B: Regression Analysis by Example. New York: Wiley, 1977.
16. US Bureau of the Census: Census of Population: 1970. General Population Characteristics. Final Report PC (1). Washington, DC: Govt Printing Office, 1971.
17. National Center for Health Statistics: Vital Statistics of the United States, 1975. Volume II—Mortality. Part A. Washington, DC: Govt Printing Office, 1979.
18. Morgenstern H: Uses of ecologic analysis in epidemiologic research. Am J Public Health 1982; 72:1336–1344.
19. Brooke E (ed): Suicide and Attempted Suicide. Geneva: WHO, 1974.
20. Cook PJ: The effect of gun availability on robbery and robbery murder: a cross-section study of 50 cities. In: Haveman RH, Zellner BB (eds): Policy Studies Review Annual, Vol 3. 1979; pp 743–781.
21. Friedman P: Suicide among police: a study of ninety-three suicides among New York City policemen, 1934–1940. In: Shneidman S (ed): Essays in Self-Destruction. New York: Science House, Inc, 1967; 414–449.
22. Hassall C, Trethowan WH: Suicide in Birmingham. Br Med J 1972; 1:717–718.
23. Kreitman N: The coal gas story: United Kingdom suicide rates, 1960–1971. Br J Prev Soc Med 1976; 30:86–93.
24. Brown JH: Suicide in Britain: more attempts, fewer deaths, lessons for public policy. Arch Gen Psychiatry 1979; 36:1119–1124.
25. Oliver RG, Hetzel BS: An analysis of recent trends in suicide rates in Australia. Int J Epidemiol 1973; 2:91–101.
26. Bruce-Briggs B: The great American gun war. The Public Interest, Fall 1976; 45:37–62.
27. Card JJ: Lethality of suicidal methods and suicide risk: two distinct concepts. Omega 1974; 5:37–45.
28. Beer FA: Peace against War. San Francisco: WH Freeman, 1981.
29. Velikovsky I: Mankind in Amnesia. Garden City, New York: Doubleday, 1982.
30. Mack JE: Psychosocial trauma. In: Adams R, Cullen S (eds): The Final Epidemic. Physicians and Scientists on Nuclear War. Chicago: Educational Foundation for Nuclear Science, 1981; 21–34.
31. Lifton RJ: In a dark time . . . In: Adams R, Cullen S (eds): The Final Epidemic. Physicians and Scientists on Nuclear War. Chicago: Educational Foundation for Nuclear Science, 1981; 7–20.
32. Thoreau HD: Journal (Sept 7, 1851). In: Bartlett's Familiar Quotations, 14th Ed, p 601. Boston: Little, Brown and Co, 1968.

ACKNOWLEDGMENTS

The authors thank Will Forney, Martha Markush, Peter Markush, and Vicki Baker for assistance in assembling the data.